

ROANOKE CITY COUNCIL

February 6, 2006

9:00 a.m.

The Council of the City of Roanoke met in regular session on Monday, February 6, 2006, at 9:00 a.m., in Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor C. Nelson Harris presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 37109-070505 adopted by the Council on Tuesday, July 5, 2005.

PRESENT: Council Members Brenda L. McDaniel, Brian J. Wishneff (arrived late), M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea (arrived late) and Mayor C. Nelson Harris-----7.

ABSENT: None-----0.

The Mayor declared the existence of a quorum.

The Mayor advised that the purpose of the meeting was to conduct a joint meeting of Council and the Roanoke City School Board.

SCHOOL TRUSTEES PRESENT: Jason E. Bingham, David B. Carson, William H. Lindsey, Alvin L. Nash, Courtney A. Penn, David B. Trinkle and Kathy G. Stockburger, Chair-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

OTHERS PRESENT: Representing the City of Roanoke: Rolanda B. Russell, Assistant City Manager for Community Development; and James Grigsby, Acting Assistant City Manager for Operations.

Representing Roanoke City Public Schools: Marvin T. Thompson, Superintendent; Cindy H. Poulton, Clerk to the School Board; Bernard J. Godek, Associate Superintendent for Management; August Bullock, Associate Superintendent for Instruction; Sharon Richardson, Executive Director for Student Services; Dana Thurston, Director for Resource Development and Communication; and Timothy R. Spencer, Assistant City Attorney and Legal Counsel to the School Board.

SCHOOLS-COUNCIL: The Mayor welcomed the School Board and administrative staff to the meeting.

Chair Stockburger advised that on September 16, 2005, the Roanoke City Public Schools (RCPS) contracted with MGT of America, Inc., to conduct an Academic Auditing Services study of the school division; and the audit focused on reviewing the financial, organizational and operational effectiveness of the delivery of services to the school system. She called upon the Superintendent of Schools for remarks.

Mr. Thompson reviewed the overall performance and organizational structure of divisions and various departments within the Roanoke City School system. He advised that a primary purpose of the study was to identify some of the positives and some of the areas in need of improvements in the delivery of services; when the School Administration reviewed achievement scores which reflect how an organization operates and accountability in a system-driven process, MGT was selected from a group of vendors, primarily for the degree of detail that the company provides, and recommendations contained in the findings will be helpful in connection with strategic planning efforts. With reference to planning, he stated that the School Administration will primarily focus on the findings contained in the report which are the most important components and allow the School Board/administration, as leaders, to help staff begin to examine practices and develop systems that will improve Roanoke City Public Schools.

He introduced Dr. Joan Ann Cox and Dr. R. S. (Skip) Archibald, Ed. D., representing MGT of America, Inc., for remarks with regard to the audit.

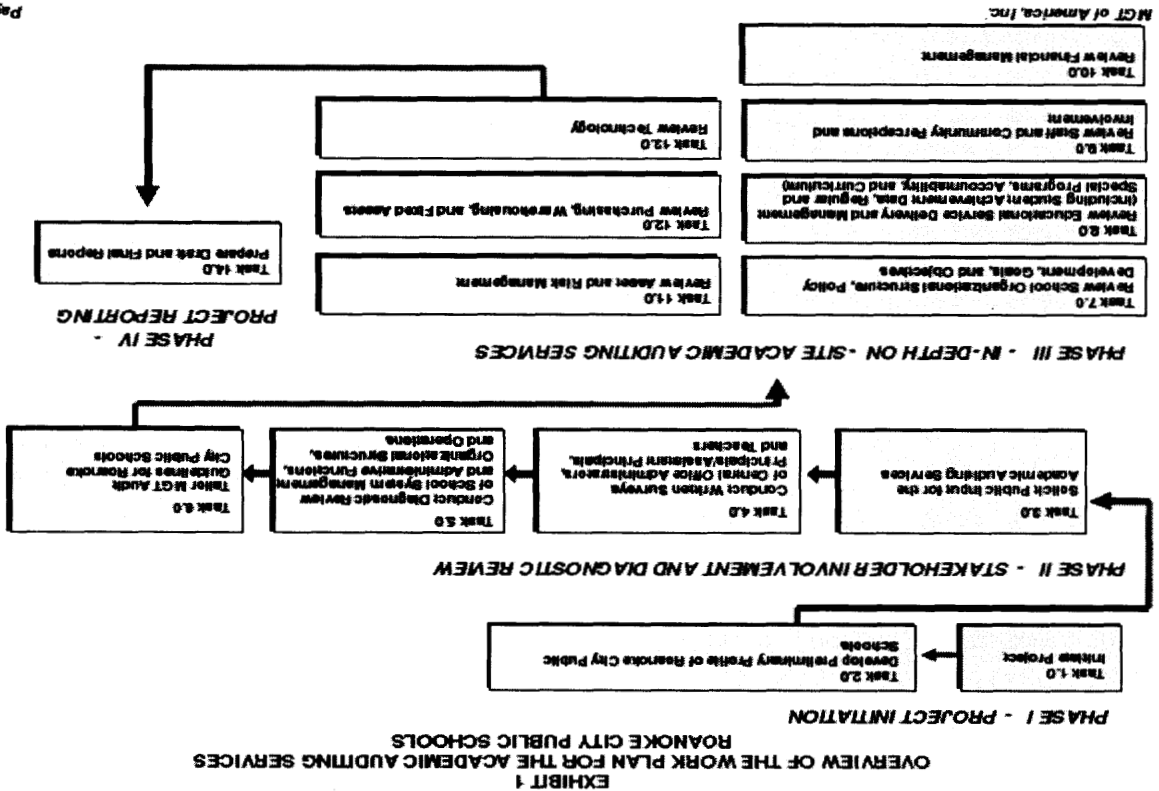
Dr. Cox and Dr. Archibald reviewed the following Executive Summary:

Overview of the Methodology

The following section describes the methodology MGT used to prepare for the Academic Audit Services. To be successful, an audit of a school division must:

- be based upon a very detailed work plan and time schedule;
- take into account the specific student body involved and the unique environment within which the school division operates;
- obtain input from School Board members, administrators, and staff;
- identify the existence, appropriateness, and use of specific educational objectives;
- contain comparisons to similar school divisions to provide a reference point;

- follow a common set of guidelines tailored specifically to the division being reviewed;
 - include analyses of the efficiency of work practices;
 - identify the level and effectiveness of externally imposed work tasks and procedures;
 - identify exemplary programs and practices, as well as needed improvements;
 - document all findings; and
 - present straightforward and practical recommendations for improvements.
- Methodology primarily involved a focused use of Virginia review guidelines, as well as MGT's audit guidelines following the analysis of both existing data and new information obtained through various means of employee input. The following strategies were used:



TIMELINE FOR THE ACADEMIC AUDITING SERVICES

TIME FRAME	ACTIVITY
September 2005	<ul style="list-style-type: none"> ■ Finalized contract with RCPS.
September 2005	<ul style="list-style-type: none"> ■ Conducted initial meeting with RCPS officials. ■ Designed tailor-made, written surveys for central office administrators, principals/assistant principals, and teachers.
September and October 2005	<ul style="list-style-type: none"> ■ Collected and analyzed existing and comparative data available from the school division. ■ Produced profile tables of RCPS.
October 2006	<ul style="list-style-type: none"> ■ Disseminated surveys to administrators and teachers.
October 10 and 11, 2005	<ul style="list-style-type: none"> ■ Visited with RCPS. ■ Conducted diagnostic review. ■ Collected data. ■ Interviewed School Board members and City officials. ■ Interviewed central office administrators. ■ Interviewed business and community leaders.
October 2005	<ul style="list-style-type: none"> ■ Analyzed data and information that had been collected.
October 2005	<ul style="list-style-type: none"> ■ Tailored review guidelines and trained MGT team members using findings from the above analyses.
October 31 - November 4, 2005.	<ul style="list-style-type: none"> ■ Conducted formal on-site review, including school visits.
November and December 2005	<ul style="list-style-type: none"> ■ Requested additional data from the school division and analyzed data.
November and December 2005	<ul style="list-style-type: none"> ■ Prepared Draft Final Report.
January 9, 2006	<ul style="list-style-type: none"> ■ Submitted Draft Final Report.
January 2006	<ul style="list-style-type: none"> ■ Solicited input from RCPS staff on the Draft Report.
January 2006	<ul style="list-style-type: none"> ■ Made changes to the Draft Report.
January 31, 2006	<ul style="list-style-type: none"> ■ Presented Final Report.

Review of Existing Records and Data Sources

During the period between project initiation and beginning the on-site review, many activities were conducted simultaneously. Among these activities were the identification and collection of existing reports and data sources that provided recent information related to the various administrative functions and operations to be reviewed in the Roanoke City Public School Division.

More than 100 documents were requested from RCPS. Examples of materials requested included, but were not limited, to the following:

- School Board policies and administrative procedures;
- organizational charts;
- program and compliance reports;
- technology plan;

- school improvement plans;
- curriculum and instructional guides;
- classroom observation tools;
- annual performance reports;
- independent financial audits;
- plans for curriculum and instruction;
- annual budget and expenditure reports;
- job descriptions;
- salary schedules; and
- personnel handbooks.

Data from each of these sources were analyzed and the information was used as a starting point for collecting additional data during the on-site visit.

Diagnostic Review

A diagnostic review of Roanoke City Public Schools was conducted on October 10 and 11, 2005. An MGT consultant interviewed central office administrators, community leaders, School Board members, and parents concerning the management and operations of Roanoke City Public Schools.

Employee Surveys

To secure the involvement of central office administrators, principals/assistant principals, and teachers in the focus and scope of the Academic Auditing Services, three on-line surveys were prepared and disseminated in October 2005. Through the use of anonymous surveys, administrators and teachers were given the opportunity to express their views about the management and operations of Roanoke City Public Schools. These surveys were similar in format and content to provide a database for determining how the opinions and perceptions of central office administrators, principals/assistant principals, and teachers vary.

RCPS staff were given from Tuesday, October 11, through Friday, October 14, 2005 to respond. The RCPS response rates for the three surveys were good. Ninety-one percent of central office administrators returned a survey, as did 86 percent of principals and assistant principals and 39 percent of teachers. MGT compared all survey responses among the three employee groups and compared all RCPS administrators and teachers to those in the more than 30 other school districts where similar surveys have been conducted.

A complete survey analysis can be found in Chapter 2 of the full report. A copy of the survey appears in Appendix A, and exhibits showing all survey results are provided in Appendix B. Specific survey items pertinent to findings in the functional areas MGT reviewed are presented within each chapter.

Conducting the Formal On-Site Review

A team of seven consultants conducted the formal on-site review of Roanoke City Public Schools during the week of October 31, 2005. As part of the on-site review, the following RCPS systems and operations were examined:

- Division Administration
- Personnel and Human Resources Management
- Financial Management
- Purchasing, Warehousing, and Fixed Assets
- Educational Service Delivery and Management
- Technology Management

Prior to the on-site review, each team member was provided with an extensive set of information about RCPS operations. During the on-site work, team members conducted detailed reviews of the structure and operations of Roanoke City Public Schools in their assigned functional areas. Most RCPS schools were visited at least once, and many schools were visited more than once.

Systematic assessment of Roanoke City Public Schools included the use of MGT's *Guidelines for Conducting Management and Performance Audits of School Districts*. In addition, the Commonwealth of Virginia school efficiency review guidelines were used. Following the collection and analysis of existing data and new information, our guidelines were tailored to reflect local policies and administrative procedures; the unique conditions of Roanoke City Public Schools, and the input of administrators in the school division. On-site review included meetings with appropriate central office and school-level staff, as well as City officials, and reviews of documentation provided by these individuals. In Chapter 2, MGT presents a statistical analysis of how RCPS compares with five comparison school divisions. The practice of benchmarking is often used to make such comparisons between and among school divisions. Benchmarking refers to the use of commonly held organizational characteristics in making concrete statistical or descriptive comparisons of organizational systems

and processes. It is also a performance measurement tool used in conjunction with improvement initiatives to measure comparative operating performance and identify best practices. Effective benchmarking has proven to be especially valuable to strategic planning initiatives within school divisions.

With this in mind, MGT initiated a benchmarking comparison of Roanoke City Public Schools to provide a common foundation from which to compare systems and processes within the school division with those of other, similar systems. It is important for readers to keep in mind that when comparisons are made across more than one division, the data are not as reliable, as different school divisions have different operational definitions, and data self-reported by peer school divisions can be subjective. Sources of information used for these comparisons include the U. S. Census Bureau and the Virginia Department of Education.

Exhibit 3 illustrates how the peer school divisions compare to RCPS in terms of enrollment, number of schools, and number of school division staff. In the 2004-05 school year:

- Charlottesville and Alexandria are within the same cluster identified as “6,” while the other comparison divisions are within the cluster identified as “1”;
- the student population of RCPS (13,655) is lower than the peer division average (20,583);
- RCPS (144) is both third-highest of comparison divisions and above the average for the comparison divisions with regard to the number of student population per 1,000 general population;
- the average number of schools is 33, with RCPS having the third-fewest (29);
- RCPS has the third-highest number of staff per 1,000 students with 122.05; and
- RCPS is slightly above the comparison average of 121.55 total staff per 1,000 students.

EXHIBIT 3
OVERVIEW OF PEER PUBLIC SCHOOL DIVISIONS
2004-05 SCHOOL YEAR

PUBLIC SCHOOL DIVISION	CLUSTER IDENTIFICATION	TOTAL STUDENT POPULATION	PER 1,000 GENERAL POPULATION	TOTAL NUMBER OF SCHOOLS	TOTAL INSTRUCTIONAL STAFF PER 1,000 STUDENTS
Roanoke City Public Schools	1	13,655	144	29	122.06
Charlottesville City Public Schools	6	4,308	97	9	139.29
Alexandria City Public Schools	6	10,996	86	16	140.67
Richmond City Public Schools	1	26,054	127	61	117.17
Newport News City Public Schools	1	33,122	184	41	97.51
Norfolk City Public Schools	1	36,285	155	48	112.53
PEER SCHOOL DIVISION AVERAGE	NA	20,683	132	33	121.55

Sources: Virginia Department of Education Web site, 2005; United States Census Bureau, 2000 Census Data.

Other items of interest found in the peer comparisons show that RCPS had the:

- Lowest percentage of students in Grade 5 meeting or exceeding Standards of Learning (SOL) in Mathematics in Spring 2002 (48.8 per cent);
- Highest percentage of students in high school meeting or exceeding Standards of Learning (SOL) in Algebra I in Spring 2002 (79.6 percent);
- Highest percentage of students in high school meeting or exceeding Standards of Learning (SOL) in Algebra II in Spring 2002 (85.3 percent);
- Highest percentage of students in high school meeting or exceeding Standards of Learning (SOL) in World History II in Spring 2002 (91.2 per cent);
- Second highest percentage of students in high school meeting or exceeding Standards of Learning (SOL) in Geometry (73.0), Biology (79.5), and Chemistry (79.3) in Spring 2002;
- Lowest percentage of schools achieving Adequate Yearly Progress (AYP) in the 2005-06 school year (48.3 percent);
- Highest number of guidance counselors and librarians per 1,000 students in the 2003-04 school year (6.98);
- Lowest percentage of revenue received from federal funds in the 2003-04 school year (9.3 percent);
- Highest percentage of revenue received from sources other than local, state, or federal funds in the 2003-04 school year (7.3 percent);

- Lowest number of dollars spent for administration disbursements in the 2003-04 school year (\$2,208,012.38), but second lowest per pupil cost (\$171.75);
- Highest per pupil cost in facilities disbursements in the 2003-04 school year (\$1,040.24); and
- Lowest per pupil cost in technology disbursements in the 2003-04 school year (\$200.21).

Commendations

RCPS has implemented many commendable practices that are detailed in the full report.

- The School Board, Superintendent, administration, and staff of Roanoke City Public Schools are commended for developing a comprehensive meeting agenda information packet that can be electronically transmitted efficiently and effectively to all members.
- The School Board, Superintendent, and Executive Team are commended for establishing division improvement goals and taking proactive steps towards implementation of related strategies.
- The Superintendent and Associate Superintendent have initiated processes to increase the accountability of central office staff, school administrators, and teachers.
- RCPS is commended for the development and implementation of the Section 504 procedures manual.
- RCPS is commended for the selection and implementation of an electronic system for developing IEPs and managing the compliance of special education programs.
- RCPS is commended for the implementation of the kindergarten through twelfth grade International Baccalaureate Programme.
- RCPS is commended for the development of effective recruitment initiatives and programs to recruit minorities and other prospective teachers to RCPS. Commendations also to the division for sponsoring their own successful job fair to hire highly qualified teachers and for their efforts in attracting prospective college seniors and RCPS assistant teachers into teaching in the division.

- RCPS is commended for its orientation and training of new substitutes and the outstanding array of resources provided.
- RCPS is commended for providing tuition assistance to its employees to further their education.
- The Fiscal Services Department is commended for virtually eliminating returned grants over the past two years.
- RCPS is commended for having four-year auditor contracts and ensuring the partners in charge on the audit engagements are rotated periodically.
- The RCPS Purchasing Department is commended for utilizing the City of Roanoke Purchasing Card system, which has the potential to reduce the number of purchase orders, invoices, and payments that have to be processed.
- RCPS and the City of Roanoke are commended for their continuing efforts to reduce the administrative costs associated with the purchasing function, while still encouraging and ensuring competition.
- RCPS is commended for establishing a representative group of qualified educators to create a Technology Plan.
- RCPS is commended for developing an instructional technology plan that effectively addresses technology use by students and teachers.
- The Office of Technology and Information Services is commended for taking time to work with the City of Roanoke to explore collaboration possibilities.

Recommendations

The full report has a total of 116 recommendations, highlights of which appear below.

DIVISION ADMINISTRATION

- New School Board members are not provided with a comprehensive orientation to acquaint them with local division organization, the Board's role and responsibilities, and the many details associated with carrying out their responsibilities. School Board members are offered opportunities to attend meetings of the Virginia School Boards Association (VSBA), which provides various orientation sessions. These sessions focus primarily on Commonwealth-related matters rather than local issues.

- MGT recommends that RCPS develop and implement a local new School Board member orientation program (**Chapter 4, Recommendation 4-1**).
- MGT's review of records and interviews with RCPS personnel during the on-site visit found that the School Board has not had a budget or policy committee other than an Audit Committee (of the whole School Board) and various ad hoc type committees. The School Board has not established a mechanism for direct involvement of Board members in policy or budget development, facilities, and strategic planning. Rather, the School Board depends upon the administration for all primary work in these areas, with recommendations brought to regular Board meetings. The School Board has not routinely scheduled work sessions for strategic planning input or other matters. Consequently, the School Board has limited input in the budget's development and other processes and has not been involved in overall division strategic planning (at the time of the on-site visit the Superintendent was preparing a recommendation for School Board involvement in strategic planning). RCPS should establish standing committees for Budget, Facilities, Policy, and Strategic Planning to ensure appropriate School Board involvement (**Chapter 4, Recommendation 4-2**).
- The School Board does not conduct self-assessments of its performance. There is no formal method for determining its effectiveness or process for establishing Board performance goals. During interviews, principals, other school-level staff, and central office personnel consistently raised questions regarding the role of some of the School Board members versus expectations of the duties to be performed by employees. The Board should develop and implement an annual School Board self-assessment system (**Chapter 4, Recommendation 4-5**).
- The School Board has not developed for implementation a performance review system for evaluating the Superintendent. Interviews with School Board members revealed that they plan to assess the Superintendent's job performance, but have neither discussed how they intend to accomplish this nor developed specific performance-related goals. However, it is clear to the Superintendent that among his prime responsibilities are to bring about changes resulting in the accreditation of all schools, to improve the overall academic performance of students, and to increase high school graduation rates. MGT recommends that the division develop and implement a Superintendent Performance Assessment system. (**Chapter 4, Recommendation 4-6**).

- Since his appointment, the Superintendent has reorganized various departments of the central office to improve services to schools and other issues; however, the Associate Superintendent for Instruction has 25 direct reports, exceeding the number for effective supervision and monitoring of overall department responsibilities. Additionally, the Human Resources Department is headed by an executive director position reporting directly to the Superintendent; in many school systems of this size, a lesser position would administer the function and report to an assistant or associate superintendent. This same situation exists for the Student Services Department. The Communications Department is administered by a director position that reports to the Superintendent, but has responsibilities more aligned with coordination activity. The Associate Superintendent for Management, reporting to the Superintendent, is assigned broad responsibilities including technology, business affairs, facilities, transportation, food service, and other functions. The combining of fiscal and non-related functions (transportation, facilities services, and supply services) with other operation areas creates a significant work overload that should be addressed. Within the Instruction and Student Services departments, three director (magnet and gifted, adult and adjunct, and secondary guidance) and two coordinator (elementary guidance and truancy and court liaison) positions could be effectively managed with fewer positions and reorganization of services. MGT recommends that the administration be reorganized to operate the various central office functions more efficiently and effectively. MGT conservatively estimates that the division could save \$107,005.00 over a five-year period if this recommendation were implemented **(Chapter 4, Recommendation 4-10)**.
- The Superintendent's Executive Team, composed of key central office executive positions, does not have principal or school-level representation. Surveys of central office administrators and principals asked questions related to principals' work and other related matters. When asked to respond to the statement *Authority for administrative decisions is delegated to the lowest possible level*, 51 per cent of administrators and 23 percent of principals disagreed or strongly disagreed, while 22 percent of administrators and 41 per cent of principals agreed or strongly agreed. Interviews with school-level personnel revealed a strong

sentiment that more principal engagement in decisions affecting schools is needed. MGT consultants could not identify evidence of systematic involvement of principals. RCPS should reorganize the Superintendent's Executive Team to include three principal representatives (**Chapter 4, Recommendation 4-12**).

- There are no provisions in the Superintendent's scheduling protocol for systematically establishing protected blocks of time expressly allotted for necessary planning and reflective thinking. MGT reviewed the Superintendent's work schedule and calendar to ascertain the extent of his time commitments to various activities. While he has limited his community commitments to ensure adequate attention to division internal matters, he has not set aside time for executive reflection and to complete his doctoral work (which is a requirement of his employment contract). The Superintendent maintains an open door policy, and the MGT consultants observed numerous instances of walk-in interruptions. The Executive Assistant to the Superintendent maintains the Superintendent's calendar of activities and processes his mail. Interviews revealed that the Superintendent seldom carves out time for himself. In short, the Superintendent is heavily scheduled, and if this situation is not modified systematically, MGT consultants believe that it could reduce his effectiveness. MGT recommends that the Superintendent's calendar provide for protected time to permit reflective and planning activity and designated vacation time (**Chapter 4, Recommendation 4-13**).

EDUCATIONAL SERVICE DELIVERY

- The departments delivering curriculum and instructional services must be organized to maximize funds, better align functions in the division, and more efficiently provide instruction and services to students. Based on the current organizational structure, the Department of Student Services is overstaffed. Given a population of 12,645 students, one guidance administrative position is sufficient at the central office level. The Southern Association of Colleges and Schools (SACS) recommends a minimum of one guidance counselor to every 1,500 students. RCPS far exceeds the requirements of SACS with a guidance to student ratio of one guidance counselor to 243 students. This ratio includes the Guidance Coordinators who also maintain a caseload of students. This excessive number of guidance counselors is not warranted. Also, based upon a review of the

organizational chart, job descriptions, interviews, and best practices in other school divisions, the Department of Special Education is overstaffed. In addition, staff are not aligned with similar functions in other departments within the Division. MGT recommends that the division reorganize the Departments of Student Services and Special Education. Key changes include, but are not limited to, eliminating one Coordinator of Elementary Guidance along with 14 guidance positions; eliminating the Director of Magnet and Gifted Programs; eliminating the Director of Alternative and Adjunct Programs while creating a Supervisor for same program; and transferring several positions to other departments. These changes would create a five-year cost savings of over \$1.8 million for the school division (**Chapter 5, Recommendation 5-1**).

- While RCPS has a vision of where it wants to go with regard to curriculum and instruction, it does not uniformly communicate that vision across the division and to all personnel through written goals, objectives, and procedures; timelines; and benchmarks for achievement for individual units. Thus, there is no overarching plan that links curricular and instructional operations to agreed-upon goals and objectives or ties together those units of the department with related responsibilities. Specific procedures are lacking, such as there is no strategic plan for the Department of Curriculum and Instruction or for units within the department; no specific walk-through guidelines for central office staff and school principals to use when evaluating/observing instruction; no specific, researched-based template for creating school improvement plans (further discussed in a later finding); and no systemwide calendar for updating curriculum. The division does have a document called the School Planning Guide; however, it is just a compendium of various documents on characteristics of effective schools, how to establish a core team and examine data, and definitions for school improvement plans and components. Moreover, it is not well organized or presented in a logical, systematic manner. RCPS should develop procedures that describe program details and expectations and related documents (such as walk-through instruments) to facilitate effective communication and implementation of the division's curriculum and instruction mission and vision (**Chapter 5, Recommendation 5-4**).

- RCPS has a written template for the development of school improvement plans; however, it is causing confusion among school staff and, consequently, not very effective. Many principals are not satisfied with the format and content of the template. MGT's review of the school improvement plans shows a wide disparity in the quality and length of the division's plans. Exemplary plans reviewed include, but are not limited to, those of Oakland, Preston Park, Fallon Park, and Garden City, all of which had the key components of a comprehensive plan. Several schools need to use these plans as models as well as using the Commonwealth of Virginia's comprehensive guide to improve their plans. Effective school improvement plans should be based on an analysis of data and provide the roadmap for school leaders to improve the delivery of services to students. RCPS should revise the school improvement template to reflect best practices and to be more user-friendly for school staff **(Chapter 5, Recommendation 5-5)**.
- RCPS does not have a strategic plan for special education services. Strong administrative leadership and strategic planning are characteristic of effective special education programs. Strong leadership in general and special education is characteristic of the effective delivery of special education services. Given the legislative requirements of NCLB and the reauthorization of IDEA, students with disabilities must be provided access to the general education curriculum. The instruction of students with disabilities who are seeking a standard diploma is equally the responsibility of general education. RCPS is lacking this clear and consistent mission and strategic planning document for the delivery of special education services in conjunction with general education; therefore, the division should develop an annual special education strategic plan including a mission, vision, goals, objectives, activities, evaluation, and a scope and sequence timeline of training and education support activities for its schools **(Chapter 5, Recommendation 5-9)**.
- General education and special education teachers do not have adequate time to plan for co-teaching at the elementary level. RCPS should review the schools' schedules to determine the effective use of instructional delivery time and provide options for school staff that will permit common planning time for teachers. Effective instruction of students with disabilities can occur when general education and special education teachers work

together in a collaborative process. This is evidenced by adequate time in teachers' schedules to plan together, share information, and evaluate their instruction. In the full report, MGT provides examples of how other school divisions have addressed the issue of not having common planning time. RCPS should develop strategies to allow common time for special education and general education teachers to allow appropriate consultation and collaborative planning for their students, including those with disabilities (**Chapter 5, Recommendation 5-11**).

- RCPS does not have an explicit and systematic language and literacy framework for kindergarten through second grade. *Explicit* refers to the important skills and types of knowledge that are taught directly by the teacher; students are not expected to infer key skills and knowledge only from exposure or incidental learning opportunities. *Systematic* refers to a planned and logical sequence of instruction. Without an explicit and systematic reading program in the early grades, students' diverse learning needs will continue to fall further behind in reading. Students with diverse learning needs have difficulty learning to read only from exposure or incidental learning opportunities; they need explicit and systematic instruction. Without explicit and systematic instruction, closing the achievement gap for students with diverse learning needs will not occur. RCPS should implement an explicit and systematic reading program plan in kindergarten through grade 3 (**Chapter 5, Recommendation 5-20**).
- Each of the magnet schools has a specific focus on an academic theme. Examples include visual arts, performing arts, science, and technology. The majority of magnet programs do not demonstrate visibility of the magnet theme, nor are they in alignment with the Virginia SOLs. The federal funding for magnet programs was discontinued in 2002. RCPS does not have a funding source to continue the level of support for the magnet programs as it once did. As a result, the majority of magnet programs have declined in quality and no longer meet one of the original objectives of providing enriching alternative programs. RCPS must revisit the purpose and commitment to magnet programs. With the implications of NCLB, it is imperative that all schools in RCPS align curriculum and instruction with the Virginia SOLs. RCPS also may find that ineffective magnet programs need to be discontinued or changed in focus (**Chapter 5, Recommendation 5-22**).

PERSONNEL AND HUMAN RESOURCES

- The Department of Human Resources (HR) does not have a receptionist to greet visitors or take incoming calls. Currently, staff members in the department take turns managing the receptionist desk, taking calls, and greeting visitors to the office. When MGT did a comparison of staff in the HR Department of RCPS to staff in HR departments in the five peer divisions chosen by RCPS, we found that RCPS has the fewest staff members of all the HR departments with the exception of Charlottesville City Schools. Like HR, the administrative building is in need of a receptionist. Visitors enter the building near the HR offices, but no one is on duty to greet or sign in visitors. The lack of such a security measure is unsafe and puts personnel assigned to the administrative building at risk. RCPS should hire a receptionist to answer general information calls to the administrative building and Human Resources office and to greet and sign in visitors to the building (**Chapter 6, Recommendation 6-1**).
- The Human Resources Department does not have a process in place to survey school division employees to evaluate the nature and quality of its services as well as the overall job satisfaction of employees. No feedback system is in place to assess the quality of services to employees. Without such input from employees, the department does not receive feedback on ways in which services could be improved. Nor does the department or division executive staff receive valuable feedback from employees and teachers in particular to provide insight into teacher retention and to determine teacher satisfaction with efforts to reduce the high teacher turnover rates (around eight percent) witnessed by RCPS. MGT recommends that the division develop and implement a customer feedback system to assist the department in evaluating the nature and quality of its services and the satisfaction level of RCPS employees (**Chapter 6, Recommendation 6-3**).
- RCPS does not have an effective position control system, and the procedures the division does have are not accomplished automatically by electronic means. Human Resources miscalculated the number of staffing positions in 2004-05 and over-hired 21 teachers for 2005-06. Such miscalculations have a negative financial impact on the division. The new Executive Director who came aboard to

head the HR Department in December of 2004 worked with principals (mostly secondary) to make position cuts. Finally, attrition cut most of these additional positions. RCPS should implement a position control system (**Chapter 6, Recommendation 6-7**).

- RCPS lacks an automated application process. While applicants for professional and classified positions can access application forms on-line, a hard copy application must be submitted to the Human Resources Department. The process is inefficient and should be streamlined. The division should research and implement an on-line automated application system (**Chapter 6, Recommendation 6-8**).
- A high number of RCPS teachers are absent each school year. Staff absences increased by 20 percent from 2002-03 to 2004-05. The reason classroom teachers are “absent from duty” is not tracked. Enormous effort and cost are expended for finding substitutes to fill positions when a teacher is absent from duty. To help reduce absences, RCPS offers \$100.00 to every employee who has perfect attendance. RCPS substitute teachers are paid \$80.00 a day or \$120.00 a day if on assignment for more than 20 consecutive school days. Substitute teachers must hold a minimum of a two-year degree with a four-year degree preferred. RCPS should track and determine the reasons for the high absentee rate and develop strategies for reducing absenteeism (**Chapter 6, Recommendation 6-11**).
- RCPS has no comprehensive divisionwide staff development master plan to guide it in its efforts to deliver staff development to all employees. The staff development program now in place is fragmented and pieced together from many different school units. Currently, staff development for professional staff is provided through the Department of Instruction by instructional coordinators. A myriad of courses and events are offered throughout the year. School divisions that have a master staff development plan to clarify their mission, set goals, coordinate and evaluate efforts, set timelines, and designate staff to carry out their goals are those that deliver the most highly effective staff development to their staff. That kind of master plan is missing in RCPS, and leaders should develop a comprehensive divisionwide Staff Development Master Plan that links the division’s priorities with the opportunities provided in staff development (**Chapter 6, Recommendation 6-13**).

FINANCIAL MANAGEMENT

- Documentation of policies and procedures for many processes and activities conducted in sections of the Fiscal Services Department is not comprehensive. In interviews, Fiscal Services staff indicated that most functions were performed with very limited, if any, written procedures. Most staff learned their duties from another department employee. There does appear to be more documentation regarding budget preparation and payroll than other areas. The review team did find limited written procedures for some activities. The lack of complete documentation will put the department at risk in the event of loss of key personnel due to retirement, extended sick leave, or other events that may substantially impair employees' abilities complete all the duties required to maintain accounting, payroll, and budgeting activities. RCPS should create, adopt, and implement a formal, complete financial policies and procedures manual that can be used to train new employees, cross-train current employees, and provide guidelines and checklists to help ensure all work is performed as required (**Chapter 7, Recommendation 7-1**).
- The current accounting information system is not meeting the division's or School Board's needs. The financial information system, including accounting and purchasing functions, is maintained in a mainframe-based accounting system that was supposed to have been replaced by a new, browser-based accounting system. The existing system is still in place due the postponement of the deployment of the new system. Numerous primary, secondary, tracking, balancing, and backup documents are maintained on spreadsheets or other off-line tools rather than being supported by a fully integrated financial system. RCPS should complete the installation of the new accounting system as soon as possible (**Chapter 7, Recommendation 7-6**).
- The site-based budgeting portion of the budget process may not be operating as envisioned. There appears to be a communications lapse between the time the requested budget for the activity fund allocation is submitted and the final funding is determined. In fact, the notice received at the beginning of the school year indicated some amounts had changed significantly from what was requested in the allocation, and that one line item, "Technology," was still not determined. This creates significant planning issues for site-based budget

managers. With more timely notifications of changes, they could change their spending plans based on their priorities. When changes are so late, funds may have already been spent on items with a lower priority. Concerns about guidelines and insufficient training were also noted. Although the Fiscal Services Department offers to assist managers with budget preparation, it is believed that a workshop would be more useful, especially for new principals and bookkeepers. RCPS should improve the communication of budget information with school principals and enhance training opportunities for site-based budget managers (**Chapter 7, Recommendation 7-8**).

- The RCPS payroll functions are lacking in important internal controls. The payroll system is antiquated and requires manual steps and off-line spreadsheets. There is no Position Control System (PCS) to help ensure only properly authorized and budgeted positions are paid and are paid the authorized amount. The system produces reams of paper time sheets and lists that require manual entries and reviews. The entire payroll process is intensively manual and requires many hours of labor to prepare up to four payrolls per month. MGT recommends that the division replace the current payroll system to include a Payroll Control System (**Chapter 7, Recommendation 7-9**).
- The current organizational structure allows for the management of grant-funded resources only. Multiple grants and special revenue resources are uncoordinated and therefore are not as effective as a unified effort. The grants section needs to be adjusted to allow for underutilized or under-realized resources to be marshaled in support of the goals and objectives of the school division. There has been very little growth in grant funding in the past few years. According to department personnel, there is a program in place to train administrators in pursuing new grants/special revenue sources, but no program to train grant administrators in fiscal management. Grant/special revenue information is maintained in the grants section, but it is not accessible to grant administrators. The division should reorganize the grants section to enhance the responsibility and authority of the Grants Management team by making it a department-level unit reporting directly to the Associate Superintendent for Management (**Chapter 7, Recommendation 7-11**).

PURCHASING, WAREHOUSING, AND FIXED ASSETS

- Within approved budgetary limits, each school or department may submit purchase requests to satisfy the needs of the school division. The Board allows individual schools to purchase and pay for items related to educational needs through school activity funds. If the purchase exceeds \$1,000.00 or comes out of the A or B account, the purchase order must be routed through the Purchasing Department. Schools use a different financial system for their purchases called the MANATEE System. This is a legacy system that has been around since the 1980s. Purchases for less than \$2,500.00 are processed at the schools through MANATEE. The departments and schools are responsible for obtaining their own quotes if the purchase is less than \$25,000.00. To improve in efficiency and effectiveness, RCPS should automate the purchase requisition/order process (**Chapter 8, Recommendation 8-1**).
- The division's Procurement Manual, December 17, 2002, is document that was developed to guide the Purchasing Department and its customers in delivering and using procurement services. This document is available only to Purchasing staff and has not been updated since August 2003. Administrators and principals have an Operations Manual that contains purchasing procedures. Based on an analytical review of this document, a review of Board policies, and various analyses of processes and procedures, MGT found that revisions are needed to reflect current policy and procedures, organizational and reporting structures, and operations; enhance communications; and improve the effectiveness and efficiency of the Purchasing Department. RCPS should revise the Procurement Manual to reflect current policies and procedures and make them available on-line (**Chapter 8, Recommendation 8-4**).
- Cooperative purchasing, according to the RCPS Procurement Manual, "... may be defined as joint purchasing of common or similar commodities and services by two or more jurisdictions." RCPS benefits from collaborative purchasing efforts with the City of Roanoke and other governmental units. The Director of Purchasing regularly monitors external contracts for competitive pricing advantageous to the school division. Purchasing staff participates in local purchasing cooperatives in an effort to identify best purchasing opportunities. Such associations provide for more efficient bidding in terms of

operational savings as well as savings due to better pricing. Purchasing staff regularly “piggyback” on bids of other governmental units instead of developing entirely new bids for items currently on valid bids. The “piggyback” process reduces the amount of time spent on the solicitation process. An example of a “piggyback” process can be found in the use of the City’s Purchasing Card Program, and the City’s contract to purchase canned and frozen food. The results of this effort are substantial savings of administrative time and expense. RCPS should conduct an analysis during the 2006-07 school year to determine if the RCPS and City of Roanoke Purchasing Departments should be combined (**Chapter 8, Recommendation 8-6**).

- The warehouse uses an informal, sometimes paper-based work order system. Normally, when the Warehouse Supervisor receives calls for pickups and deliveries from schools and departments, notes are made and sometimes turned into work orders for the Trades Workers. This work order process is inefficient and makes record keeping and reporting difficult. An automated work order system would keep work load statistics (e.g., type and number of deliveries, pickups accomplished on a monthly, yearly basis) and make record keeping and reporting more efficient. MGT recommends that RCPS automate the work order process (**Chapter 8, Recommendation 8-14**).

ADMINISTRATIVE AND INSTRUCTIONAL TECHNOLOGY

- Involving stakeholders in decisions about technology use is vitally important, and the planned committee will certainly do that. However, the creation of a committee that exceeds 25 members will prove to be problematic. It is difficult enough to gather a group of 15 busy people for a meeting, much less 25. Moreover, if most members attend, chances are good that meetings will last longer than desired, and that some members of this large group may not be willing or able to interject their comments or questions about topics under discussion. A smaller group would be more productive and spend less time on committee functions. Additionally, the committee should be composed primarily of users of technology, not members of the technology staff. Clearly the technology staff must play a key role in the actions and deliberations of the committee; however, when it comes to voting, it

would be best if the voting members were educators and administrators within the school division, not technology staff members. RCPS should create a smaller, more educator-oriented Technology Advisory Committee that will allow for more productive meetings while still being representative of key stakeholders (**Chapter 9, Recommendation 9-1**).

- The Office of Technology currently reports to the Associate Superintendent for Management but until recently reported to the Associate Superintendent for Instruction. In fact, neither place is a good fit for the Office of Technology. Frequently, when a technology office reports to an administrator such as the head of management or business services, the area to which the office reports gets higher priority than do other administrative offices. Usually that is not intentional, but, because there is a tendency to look after one's boss first, frequently the work of other offices is allocated a lower priority. MGT believes the division should move the Office of Technology and Information Services into the new Office of Planning, Accountability, Technology, and Communication to improve the delivery of technology services (**Chapter 9, Recommendation 9-2**).
- As of the date of MGT's on-site visit to Roanoke City Public Schools, there were approximately 6,320 computers in use in the division. There are no standards or guidelines that RCPS staff must follow in purchasing computers. The result is that schools decide for themselves the hardware that they should purchase. Some problems that may occur when there are no standards include: equipment may not conform to the technology implementation plan under which the school and/or school system is operating; multiple brands of equipment add complexity to the technical support function, thereby making an already difficult task more challenging; computers may not adhere to minimum power and speed standards, meaning they will become obsolete much more rapidly; and new equipment may introduce compatibility problems. The division should establish computer acquisition standards to ensure that Roanoke City Public Schools will acquire only state-of-the-art computers, thereby maximizing the useful life of new equipment (**Chapter 9, Recommendation 9-7**).

- An approach to professional development that is becoming very popular today is on-line or Web-based training. Teachers with computers at home, or with computers they check out from school for home use, sign on to the Internet to take courses. Because the courses are on-line, teachers can access the material whenever it is convenient for them, whether that is on a Sunday afternoon, or at 1:00 in the morning. If teachers are already comfortable with the technology, this is a low-cost, high-impact approach to professional development. One objective of the Office of Technology and Information Services should be to expand upon the number of teachers taking courses on-line. Another good function of the Technology Committee would be to work with the Office of Technology to identify Web-based courses that are good fits for the division. RCPS should review all of the options for offering additional Web-based professional development and strongly encourage teachers to take advantage of these opportunities (**Chapter 9, Recommendation 9-10**).
- A strategy that some school divisions have found to be successful in improving technical support without increasing costs is to draw upon the expertise of a resource available in every division, but not often tapped: the students. A growing number of divisions have found that one way to enhance technical support is to implement a program similar to those in place in a number of secondary schools around the country where students actually provide technical support services to teachers and students in their school. This has been done effectively in middle/junior high schools and in high schools. Frequently these student technical support units operate as a club, although participating students usually have one class period that is dedicated to installing equipment, installing software upgrades, working on equipment failures. Of course, such a program requires a teacher who is sufficiently proficient in using technology to guide the efforts of those students, but it has proven to be an excellent way to augment technical support. RCPS should implement a program that involves students as providers of technical support for their schools (**Chapter 9, Recommendation 9-12**).
- The Virginia State Superintendent of Public Instruction informed superintendents in January of 2005 that the General Assembly had appropriated funds that could be used by school divisions to improve the integration of technology into the curriculum. While RCPS has done an

excellent job of providing instructional support for teachers in the classroom, the division has not done so well with respect to providing technical support to the classroom. Although the Commonwealth provided enough funds to the division to hire one technician for every 1,000 students (the same number of technicians as instructional technology specialists—11), the division opted to hire only four technicians. Since there were already four technicians on staff, that brought the total number of technicians to eight. The division needs to take action to address these support problems and reallocate the funds from the state to support three more technicians (**Chapter 9, Recommendation 9-15**).

Recommended Report Follow-Up

MGT recommends the division convene a Task Force and conduct quarterly meetings so that report updates and discussions will be meaningful and demonstrate significant implementation accomplishments by area.

For the administration, the first step in a successful implementation process is the assignment of one staff member to oversee the implementation process and report progress to the Board. This person should possess good organizational skills and have the ability to work well with individuals from all areas of the school division.

Next, each recommendation in the report should be assigned to an individual in the school division. Assigning someone to the recommendation does not commit the division to implement that recommendation. Rather, it makes one individual responsible for researching the issue further, and reporting to the administration and the Board as to whether the recommendation is practical, feasible, or implementable as written; whether the costs or savings promised by the recommendation are realistic; and whether there are alternative implementation strategies that will achieve the same goals in a more palatable manner.

Assigning an individual does not mean that the individual must do everything it takes to implement the recommendation. Rather, it means that the individual will oversee the efforts of everyone involved in the implementation process, report progress back to the implementation project manager, and assist with presentations to the Board on items requiring Board approval.

In those situations where recommendations cross divisional boundaries, it is even more critical to assign the task to someone with the authority to cross those boundaries in order to thoroughly research and implement the recommendation.

The division may wish to consider the formation of teams to address functional areas, such as personnel, curriculum, and the like. Team meetings may provide support to implementation team members. A team can generate a level of excitement and an environment for creative thinking, which leads to even more innovative solutions.

Once the recommendations have been assigned to individuals, a method to monitor and follow up needs to be established by the Board and Superintendent.

This methodology should, at a minimum, contain the following elements:

- periodic (weekly, monthly) checkpoints or meetings of implementation team members to discuss progress;
- decision points where the Superintendent and the Board give additional guidance or direction to individual team members;
- monthly reports to the Board concerning findings and progress;
- quarterly meetings of the Board;
- a system for tracking the savings and benefits derived from implementation; and
- regular, open two-way communication with the public and the media. Public recognition for successful implementation efforts may very well be one of the best ways to ensure continual progress.

Additional mechanical processes that might help the implementation process would include a PC-based tracking system for recommendations and a filing cabinet in which to retain all documentation provided by implementation team members, records of School Board decisions, and other information for each recommendation.

Finally, the Board must receive timely action, reports, and information, and it must be prepared to act swiftly when presented with difficult decisions. Indecision on the part of the Board will lead to inaction on the part of the implementation team. If, after the team has researched an issue and brought options to the Board for

consideration, the Board fails to act, the Board will find fewer and fewer items being brought forward. If, however, the administration clearly does not want to implement a recommendation, its reasons should be clearly stated and documented.

Fiscal Impact of Recommendations

Based on the analyses of data obtained from interviews, surveys, community input, state and division documents, and first-hand observations in Roanoke City Public Schools, the MGT team developed over 115 recommendations in this report. Twenty-three (23) recommendations have fiscal implications. **It is important to keep in mind that the identified cost savings are incremental and cumulative. It is equally important to recognize that savings should be redirected to meet student needs.**

As shown below in Exhibit 4, full implementation of the recommendations in this report would generate a gross savings of over \$12 million over five years (total savings plus one-time savings) with a net savings of approximately \$11.3 million. It is important to note that costs and savings presented in this report do not reflect increases due to salary or inflation adjustments.

Exhibit 4 shows the total costs and savings for all recommendations.

EXHIBIT 4 SUMMARY OF NET SAVINGS

CATEGORY	YEARS					Total Five-Year (Costs) or Savings
	2006-07	2007-08	2008-09	2009-10	2010-11	
TOTAL SAVINGS	\$1,997,549	\$2,252,039	\$2,492,039	\$2,732,039	\$2,972,039	\$12,445,705
TOTAL (COSTS)	(\$274,505)	(\$190,305)	(\$191,305)	(\$192,305)	(\$194,305)	(\$1,042,725)
TOTAL NET SAVINGS	\$1,723,044	\$2,061,734	\$2,300,734	\$2,539,734	\$2,777,734	\$11,402,980
ONE-TIME (COSTS) OR SAVINGS						(\$91,000)
TOTAL FIVE-YEAR NET SAVINGS INCLUDING ONE-TIME (COSTS) SAVINGS						\$11,311,980

Exhibit 5 provides a chapter-by-chapter summary for all costs and savings.

It is important to keep in mind that only recommendations with fiscal impacts are identified in this chapter. Many additional recommendations to improve the efficiency and effectiveness of the school division are contained in Chapters 4 through 9.

Justifications, implementation strategies or suggestions as appropriate and fiscal impacts follow each recommendation in this report. The justification/implementation section associated with each recommendation identifies specific actions to be taken. Some recommendations should be implemented immediately, some over the next year or two, and others over several years.

MGT recommends that the Roanoke City Public School Division give each of these recommendations its most serious consideration, their develop a plan to proceed with their implementation and a system to monitor subsequent progress.

EXHIBIT 5
CHAPTER-BY-CHAPTER SUMMARY OF COSTS/COST AND SAVINGS

CHAPTER REFERENCE	ANNUAL (COSTS) OR SAVINGS/REVENUE					TOTAL FIVE YEAR (COSTS) OR SAVINGS	ONE-TIME (COSTS) OR SAVINGS
	2006-07	2007-08	2008-09	2009-10	2010-11		
CHAPTER 4: DIVISION ADMINISTRATION							
4-2	Conduct Committee Member Training (p. 4-13)	(\$7,500)	(\$500)	(\$500)	(\$500)	(\$500)	(\$9,500)
4-10	Reorganize RCPS Administration (p. 4-41)	\$21,401	\$21,401	\$21,401	\$21,401	\$21,401	\$107,005
CHAPTER 4 SUBTOTAL (COSTS)/SAVINGS		\$13,901	\$20,901	\$20,901	\$20,901	\$20,901	\$97,505
CHAPTER 5: EDUCATIONAL SERVICE DELIVERY							
5-1	Reorganize the Departments of Student Services and Special Education (p. 5-17)	\$1,837,858	\$1,837,858	\$1,837,858	\$1,837,858	\$1,837,858	\$9,188,290
5-8	Implement Positive Behavior Support Program (p. 5-74)	(\$44,950)	(\$1,750)	(\$1,750)	(\$1,750)	(\$1,750)	(\$51,950)
5-23	Restructure Aviation Program (p. 5-142)	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$600,000
CHAPTER 5 SUBTOTAL (COSTS)/SAVINGS		\$1,912,708	\$1,955,908	\$1,955,908	\$1,955,908	\$1,955,908	\$9,736,340
CHAPTER 6: PERSONNEL AND HUMAN RESOURCES							
6-1	Hire a Receptionist (p. 6-4)	(\$26,555)	(\$26,555)	(\$26,555)	(\$26,555)	(\$26,555)	(\$132,775)
6-4	Fund Employee Recognition Program (p.6-10)	(\$5,000)	(\$5,000)	(\$5,000)	(\$5,000)	(\$5,000)	(\$25,000)
6-7	Implement a Position Control System (p. 6-17)	\$0	\$0	\$0	\$0	\$0	\$0
6-10	Purchase an Automated Substitute Calling System (p. 6-30)	\$0	\$0	\$0	\$0	\$0	\$0
6-12	Eliminate the \$40 Stipend Paid to Substitutes for Attending a Training Session (p. 6-35)	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$20,000
6-14	Establish an Office of Staff Development (p. 6-39)	(\$80,000)	(\$80,000)	(\$80,000)	(\$80,000)	(\$80,000)	(\$400,000)
CHAPTER 6 SUBTOTAL (COSTS)/SAVINGS		(\$107,555)	(\$107,555)	(\$107,555)	(\$107,555)	(\$107,555)	(\$537,775)
CHAPTER 7: FINANCIAL MANAGEMENT							
7-2	Increase Fiscal Services Staff by one FTE (p. 7-13)	(\$30,000)	(\$31,000)	(\$32,000)	(\$33,000)	(\$35,000)	(\$161,000)
7-3	Secure Fiscal Services Department (p. 7-14)	\$0	\$0	\$0	\$0	\$0	\$0
7-4	Provide Funding for Professional Development in Fiscal Services (p. 7-15)	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)	(\$50,000)
7-5	Conduct a Compensation and Class Study in Fiscal Services Department (p. 7-16)	\$0	\$0	\$0	\$0	\$0	\$0
7-20	Eliminate EROP (p. 7-42)	\$0	\$240,000	\$480,000	\$720,000	\$960,000	\$2,400,000
CHAPTER 7 SUBTOTAL (COSTS)/SAVINGS		(\$40,000)	\$199,000	\$438,000	\$677,000	\$915,000	\$2,189,000

EXHIBIT 5 (Continued)
CHAPTER-BY-CHAPTER SUMMARY OF COSTS/COST AND SAVINGS

CHAPTER REFERENCE		ANNUAL (COSTS) OR SAVINGS/REVENUE					TOTAL FIVE YEAR (COSTS) OR SAVINGS	ONE-TIME (COSTS) OR SAVINGS
		2006-07	2007-08	2008-09	2009-010	2010-11		
CHAPTER 8: PURCHASING, WAREHOUSING, AND FIXED ASSETS								
8-9	Update the Equipment and Software for the Bid Fax Service (p. 8-21)	\$0	\$0	\$0	\$0	\$0	\$0	(\$5,000)
8-14	Obtain and Implement an Automated Textbook Management System (p. 8-28)	\$0	\$0	\$0	\$0	\$0	\$0	(\$5,000)
8-15	Obtain and Implement an Automated Work Order System for the Warehouse (p. 8-29)	\$0	\$0	\$0	\$0	\$0	\$0	(\$3,000)
8-18	Eliminate the Engraving Clerk Position (p. 8-34)	\$14,490	\$28,980	\$28,980	\$28,980	\$28,980	\$130,410	
CHAPTER 8 SUBTOTAL (COSTS)/SAVINGS		\$14,490	\$28,980	\$28,980	\$28,980	\$28,980	\$130,410	(\$13,000)
CHAPTER 9: ADMINISTRATIVE AND INSTRUCTIONAL TECHNOLOGY								
9-4	Acquire Modern Network Monitoring Tools (p. 9-21)	(\$39,500)	(\$4,500)	(\$4,500)	(\$4,500)	(\$4,500)	(\$57,500)	
9-11	Implement Personal Professional Development Plans (p. 9-38)	(\$31,000)	(\$31,000)	(\$31,000)	(\$31,000)	(\$31,000)	(\$155,000)	
9-16	Purchase Help Desk Support Software (p. 9-47)	\$0	\$0	\$0	\$0	\$0	\$0	(\$20,000)
CHAPTER 9 SUBTOTAL (COSTS)/SAVINGS		(\$70,500)	(\$35,500)	(\$35,500)	(\$35,500)	(\$35,500)	(\$212,500)	(\$20,000)
TOTAL SAVINGS		\$1,997,549	\$2,252,039	\$2,492,039	\$2,732,039	\$2,972,039	\$12,445,705	
TOTAL (COSTS)		(\$274,505)	(\$190,305)	(\$191,305)	(\$192,305)	(\$194,305)	(\$1,042,725)	
TOTAL NET SAVINGS/(COST)		\$1,723,044	\$2,061,734	\$2,300,734	\$2,539,734	\$2,777,734	\$11,402,980	(\$91,000)
TOTAL FIVE-YEAR NET SAVINGS INCLUDING ONE-TIME SAVING/(COSTS)							\$11,311,980	

Discussion:

Council Member Dowe asked the following questions:

How many positions are proposed to be eliminated? Will there be a phasing out process or immediate elimination.

Dr. Archibald responded that MGT reviewed the positions by sections within the school system; and an overall recommendation on the Executive Leadership of each school department was prepared and how it should be changed and thereafter included in the implementation strategy with a timeline. He stated that he could not recall the impact in terms of the total number of positions proposed to be eliminated since a number of other persons participated in the audit, and he would respond to the question after conferring with other individuals who were involved in the study.

Dr. Cox also responded that the recommendation for elimination of positions was in the range of 43 – 45 within curriculum instruction.

Council Member Dowe inquired about enrollment participation in the William Fleming High School Aviation Program and, in view of the September 11, 2001 terrorist attack, what securities are in place to ensure checks and balances to identify the types of students who are enrolled in the Program.

Dr. Cox responded that the school system spends approximately \$40,000.00 per airplane for maintenance; no historical data was available to determine the maximum number of students who have participated in the Program; and currently seven students participate, with two students utilizing air time. She stated that given test scores of the school system, this is an exorbitant sum of money to be spent on a program and funds could be redirected to other programs.

Council Member Cutler inquired about the recommendation to eliminate the performance audit provision which was included in a Council ordinance adopted on September 17, 2001.

Dr. Archibald responded that laws of the Commonwealth of Virginia address the issue inasmuch as there is a resnet requirement in Virginia that audits be conducted. Therefore, he stated that the options are to conduct an external or internal audit, or a full compendium of an internal audit, which is the route that the City has chosen. He added that it is common practice nationally for School Boards to conduct internal audits.

Council Member Cutler requested a clarification of the definition of audit; whereupon, Dr. Archibald explained that in the context of school education, a performance audit would include student performance, and a variety of areas in the school system to determine how well the school is performing overall. He stated that an internal audit would include such issues as principle funds found within elementary, middle schools, and high schools, athletics, operations, transportation, food service, warehousing, purchasing, internal controls in financial services, human resources issues, risk management portfolio, etc.

Council Member Cutler inquired about combining the City and School Purchasing Department and who should take the lead in such an initiative; whereupon, Dr. Archibald stated that MGT was employed by the school system and would submit its recommendations to the School Board and the School administration, which places the burden of initiating discussion in the hands of the School Board; and inasmuch as the City of Roanoke is the fiscal agent, the City would have a significant interest and would make a determination as to whether or not it is in the City's best interest to combine the two departments.

Council Member Cutler asked if information is available from other school systems that have combined various functions; whereupon, Dr. Archibald advised that other localities have combined vehicle maintenance, purchasing, facility maintenance, risk management, etc.

Council Member Wishneff asked the following questions:

Does the City of Roanoke have the necessary organizational and financial resources to recruit and retain teachers?

Dr. Cox responded that Roanoke's school system is doing an excellent job of recruiting, particularly minority recruiting to balance the teacher/student ratio with the teacher ratio of minorities; MGT has recommended initiation of an awards program to recognize school employees; and it is believed that the school system is doing an excellent job of maintaining teachers, but an incentive program is needed for the future.

Council Member Wishneff expressed concern with regard to the Magnet School program, and advised that the original goals were admirable, but some where along the way, the focus has been lost insofar as teaching the children.

Council Member McDaniel inquired if the Magnet School programs have been successful in other school systems; whereupon, Dr. Cox advised that the program is more prevalent in the Roanoke City School System, it was found that the some of the programs are not in alignment with the Standards of Learning, Federal funds have been exhausted, and the program is currently supported by local funds. She added that similar school systems with the same dilemma are now refocusing and are in alignment with the Standards of Learning; and Roanoke City Public Schools lack data to support Magnet School successes.

Ms. McDaniel inquired as to how information with regard to the elimination of 44 positions be handled?

The Superintendent responded that the school system will not react, but will review the findings of MGT to determine the best practices. He stated that findings are the key component, not necessarily as much as the recommendations; and recommendations will serve as guiding points, following which the school administration will engage employees in an exercise to identify some of the data that needs to be used to help the school system move forward. He advised that the school system must develop policy on what it is accountable to, looking long term, and

strategically planning the capacity of the organization both financially and personnel wise to meet strategic plans. He stated that since school achievement is the number one threat to the school system, all decisions within the next two years will focus on the issue.

The Mayor expressed appreciation to Dr. Cox and to Dr. Archibald for their presentations and commended the Superintendent of Schools for initiating the audit study.

With regard to the recommendation to combine School and City functions, Mayor Harris suggested that the Superintendent of Schools and the City Manager and their executive staffs study the proposed recommendations, and that their findings be discussed during the upcoming months as a part of the monthly meetings of the Mayor, School Board Chair, Superintendent of Schools and City Manager.

There being no further business, at 10:40 a.m., the Chair declared the meeting of the School Board adjourned.

At 10:40 a.m., the Mayor declared the Council meeting in recess.

The Council meeting reconvened at 10:50 a.m., in Room 159, Noel C. Taylor Municipal Building, with Mayor Harris presiding and all Members of the Council in attendance.

CITY COUNCIL: A communication from Mayor C. Nelson Harris requesting that Council convene in Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to §2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Council Member Cutler moved that Council concur in the request of the Mayor to convene in Closed Meeting as abovedescribed. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Lea, McDaniel, Wishneff and Mayor Harris-----5.

NAYS: None -----0.

(Vice-Mayor Fitzpatrick and Council Member Dowe were not present when the vote was recorded.)

CITY COUNCIL: A communication from Council Member Alfred T. Dowe, Jr., Chair, City Council Personnel Committee, requesting that Council convene in Closed Meeting to discuss the mid-year performance of two Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Council Member McDaniel moved that Council concur in the request to convene in Closed Meeting as abovedescribed. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Lea, McDaniel, Wishneff and Mayor Harris-----5.

NAYS: None -----0.

(Vice-Mayor Fitzpatrick and Council Member Dowe were not present when the vote was recorded.)

CITY COUNCIL: A communication from the City Manager requesting that Council convene in Closed Meeting to discuss the disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended, was before the body.

Council Member Cutler moved that Council concur in the request to convene in Closed Meeting as abovedescribed. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Lea, McDaniel, Wishneff and Mayor Harris-----5.

NAYS: None -----0.

(Vice-Mayor Fitzpatrick and Council Member Dowe were not present when the vote was recorded.)

CITY COUNCIL: A communication from the City Manager requesting that Council convene in Closed Meeting to discuss expansion of an existing business where no previous announcement has been made of the business' interest in expanding its facilities in the community, pursuant to Section 2.2-3711(A)(5), Code of Virginia (1950), as amended, was before the body.

Council Member McDaniel moved that Council concur in the request to convene in Closed Meeting as abovedescribed. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None -----0.

(Council Member Dowe was not present when the vote was recorded.)

TOPICS FOR DISCUSSION BY THE MAYOR AND MEMBERS OF COUNCIL:

ITEMS LISTED ON THE 2:00 P. M., COUNCIL DOCKET REQUIRING DISCUSSION/CLARIFICATION, AND ADDITIONS/DELETIONS TO THE 2:00 P. M., AGENDA: NONE.

ITEMS FOR DISCUSSION AT A MEETING OF THE ROANOKE CITY COUNCIL, THE ROANOKE COUNTY BOARD OF SUPERVISORS AND THE WESTERN VIRGINIA WATER AUTHORITY ON MONDAY, MARCH 6, 2006, AT 12:00 P.M.:

The Mayor requested that Council Members provide items for discussion to the City Clerk.

BRIDGES: Phillip C. Schirmer, City Engineer, advised that the 1978 Surface Transportation Act enacted by Congress requires that all in-service bridge structures be included in an Annual Bridge Inspection Program; whereupon, he reviewed the following power point presentation:

City of Roanoke Bridges and Structures

- 95 Bridges and Structures are required to be inspected
 - 27 are inspected annually
 - 68 are inspected bi-annually.
 - Annual cost for inspections is \$150,000.00

Total Replacement Cost (2001) \$169,475,000.00

The City of Roanoke has every type of bridge from large concrete and steel structures that cross rivers and railroad tracks to small neighborhood bridges over streams.

Bridge Inspection Reports

- Rate the condition of each structural element
- Identify and document any needed repairs
- Identify needed maintenance items
- Cost estimates for repairs and maintenance

Bridge Inspection Summary Report

Summary Bridges Scheduled for General Maintenance				
23-Jan-06				
BRIDGE_NO	STREET_RT	OVER_UNDER	GEN_MAT_SH	COST_EST
8056	Thomason Avenue	Garnand Branch	5/1/2006	\$500
1860	Peters Creek Road	Peters Creek	5/1/2006	\$5,000
1859	Peters Creek Road	Peters Creek	5/1/2006	\$1,000
1816	Walnut Avenue (116)	Roanoke River	5/1/2006	\$6,000
1829	Hunter Viaduct (11)	NS Railway	5/1/2006	\$17,000
8044	Westside Blvd	Peters Creek	5/1/2006	\$8,500

Summary Bridges Scheduled for Major Repairs				
01-Feb-06				
BRIDGE_NO	STREET_RT	OVER_UNDER	MAJ_REP_SH	COST_EST
1822	Main Street (221)	Roanoke River & NS Rw	2/1/2006	\$913,000
1817	Franklin Road (220)	NS Railway	3/1/2006	\$195,000
1815	Walnut Avenue (116)	NS Railway	4/1/2006	\$715,000
8054	Wise Avenue	Tinker Creek	5/1/2006	\$205,000
8000	Ninth Street	NS Railway	6/1/2006	\$53,000
1850	Melrose Avenue	Peters Creek	12/1/2006	\$276,000
8012	Old Mtn. Road (605)	Tinker Creek	12/1/2006	\$228,000

- Current Repair and Maintenance
 - Maintenance and Repair \$ 812,000.00
 - Repairs <\$ 50,000.00
 - Total Major Repairs \$7,314,500.00
 - Repairs >\$ 50,000.00
- Bridge Replacement \$ 490,000.00
- Totals \$8,616,500.00

- Equivalent to 5% of Replacement Value

Funding for Major Repairs

- 1996 Bonds - \$5,246,000.00
 - Completed Projects:
 - Jefferson Street over Railroad
 - 9th Street over Roanoke River
 - Main Street over Roanoke River

- Williamson Road over Railroad
- Cove Road over Peters Creek
- Peach Tree over Peters Creek

Funding for Major Repairs

- 1999 Bonds - \$2,800,000.00
 - Completed Projects:
 - Brambleton Avenue over Murray Run
 - Broadway Street over Ore Branch
 - Memorial Avenue over Roanoke River
 - Walnut Avenue over Railroad
 - Advertised for bids:
 - Martin Luther King Jr. Memorial Bridge

Maintenance Resources

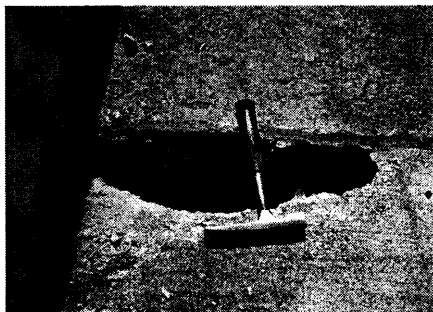
- No dedicated maintenance or repair staff
- Transportation Division \$ 10,000.00
- Annual General Fund \$150,000.00
- Equivalent to 28% of annual needs

Immediate Needs

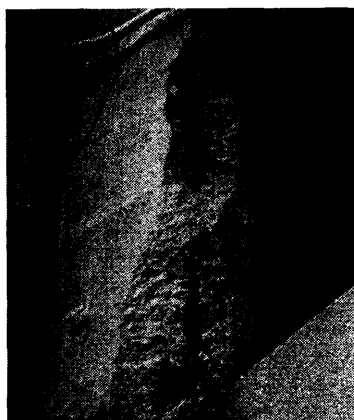
- Wasena Bridge - Sidewalk and joint repairs - estimated cost \$425,000.00



- Franklin Road Bridge over Railroad Sidewalk repairs - estimated cost \$350,000.00



- Walnut Avenue over Railroad Superstructure and substructure concrete repairs - estimated cost \$735,000.00



Prospect Road Bridge

- Closed to traffic
- Major deck and abutment repairs are needed to return to service
- Estimated Cost - \$172,000.00



Recommendations:

- Provide Capital Project Funding to complete major renovation and repairs over five years; approximately \$1,500,000.00 annually
- Increase Annual Maintenance funding to approximately \$500,000.00
- Create a dedicated staffing resource for minor bridge maintenance

Council Member Cutler inquired about the relationship between the City, the Virginia Department of Transportation and Norfolk Southern Corporation with regard to City bridges; whereupon, the City Engineer advised that VDOT and Norfolk Southern Corporation are responsible for inspections of bridges that they own; and if a bridge covers a City public street right-of-way, maintenance thereof is the City's responsibility.

Council Member Cutler inquired if the City participates in a Federal bridge repair assistance program; whereupon, the City Engineer advised that additional funds are generated at the Federal level which may be passed down to the City from the State, but he could not speculate on the amount of funds or the timeframe.

With regard to stormwater management, Council Member Cutler inquired if any capital construction budget needs are paired together; whereupon, the City Engineer responded that the City's infrastructure needs are extensive, such as streets, buildings, bridges, storm drains, etc., and bridges are one of the components to maintain infrastructure.

Vice-Mayor Fitzpatrick inquired if the City of Roanoke is responsible for inspecting the bridge over the railroad tracks by Carilion Roanoke Memorial Hospital; whereupon, the City Engineer advised that bridge maintenance and inspection is handled by the Norfolk Southern Corporation.

Council Member Lea inquired about current maintenance costs; whereupon, the City Engineer advised that annual maintenance costs are approximately \$160,000.00. The City Manager added that for several years, the City has tried to increase funds in its annual operating budget for recurring expenditures due to lack of maintenance, and, on an annual basis, funds have accumulated for repairs and maintenance of all City public buildings which also have similar problems. In addition, she stated that the City has endeavored to set aside funds to pave 57 lane miles of streets and to increase funds in the operating budget for technology and fleet replacement. She further stated that now that the City has been able to generate a higher dollar amount on an annual basis, larger items, such as bridges, have received major repairs that were previously discussed through the use of bond funds.

On behalf of the Council, the Mayor expressed appreciation for an informative briefing on the City's Bridge Inspection Program.

At 11:10 a.m., the Mayor declared the Council meeting in recess for three Closed Sessions, as previously approved by the Council.

At 12:00 p.m., the Council meeting reconvened in Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, for a joint meeting of Council and the Architectural Review Board, with Mayor C. Nelson Harris and Chair Lora J. Katz presiding.

PRESENT: Council Members Brenda L. McDaniel, Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr., Vice-Mayor Beverly T. Fitzpatrick, Jr., Sherman P. Lea, and Mayor C. Nelson Harris-----7.

Absent: None-----0.

The Mayor declared the existence of a quorum.

Architectural Review Board members present: Alison S. Blanton, Barbara A. Botkin, Donald C. Harwood, Robert N. Richert, James A. Schlueter, Jon J. Stephenson, and Lora J. Katz, Chair-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

Representing the Architectural Review Board: Robert B. Townsend, Agent; Anne S. Beckett, Agent; Martha P. Franklin, Secretary.

Mayor Harris recognized Lora J. Katz, Chair and Robert N. Richert, Immediate Past Chair of the Architectural Review Board.

Chair Katz stated that the Architectural Review Board (ARB) made great strides over the past year; there was an increase of over 30 per cent of citizens appearing before the ARB during the past year, with only one appeal, which is an indication that the Architectural Review Board is working with citizens to reach solutions that are affordable and will enhance the neighborhood.

The Chair presented the following Annual Report of accomplishments and attendance for the year 2005.

- Last year, the ARB met 12 times to consider 64 requests for Certificates of Appropriateness. Of the 64 requests, 54 were approved, five were denied, three were withdrawn, and two were continued. Of the five that were denied, two applicants appealed to City Council; one appeal was withdrawn and the other is pending. Sixteen items were located in the downtown H-1 District, while 48 were in the residential H-2 District. This is a 31 per cent increase in activity from 2004. In addition, staff approved 52 Administrative Certificates of Appropriateness.

Major ARB activities during 2005:

As a Certified Local Government (CLC), with the Department of Historic Resources (DHR), the City of Roanoke had direct support from the State and Federal governments with grant money for historic preservation studies and for ARB training.

1. Worked in coordination with DHR for nomination of the Gainsboro Historic District to the National Register of Historic Places.

2. Staff and the Co-Chair received training through the National Alliance of Preservation Commissions. These workshops train local historic preservation commissioners and staff in community revitalization methods.
 3. Review and approve National Register nominations for the City of Roanoke.
- Continued the annual ARB Recognition Program for rehabilitation/design awards for City Council during National Historic Preservation Week. Four awards were given in May for exemplary projects undertaken in the H-1 and H-2 districts.
 - Continued annual spring mailings to all property owners in the historic districts and contractors in the Roanoke Valley to increase awareness of the historic districts. The Department of Real Estate Valuation also sends notices to all new property owners in the historic districts.
 - Continued the Design Assistance Review Committee comprised of two ARB members to review applications prior to Board meetings. Two members and staff attend the monthly meetings, and notify the applicants of preliminary recommendations.
 - Continued annual in-house ARB workshops to improve the application process and Board meetings.
The Board's current initiatives:
 - Review and update the H-2 Architectural Design Guidelines to incorporate information on new materials that were not available when the 1995 guidelines were written, delete out-dated information or materials, and to comply with new zoning restrictions from the recent adoption of zoning ordinance.

Mayor Harris called for questions or comments:

Vice-Mayor Fitzpatrick commended members of the Architectural Review Board for their efforts to compile information for the City's 2006 Legislative Program that would provide a mechanism for the City to require building permits for certain improvements/projects in the Historic Districts, and although legislation was not introduced at the General Assembly this year, it was forwarded to the Department of Housing and Community Development for review.

Council Member Cutler inquired as to what extent the ARB could provide technical advice to property owners with respect to alternatives or other measures to decrease building costs. The Chair advised that she offers her expertise and City staff is available to assist, often on site, which sometimes results in more appropriate property enhancements.

Council Member Cutler also inquired about the relationship between the new Zoning Ordinance and the ARB; whereupon, it was advised that the Board offered suggestions with regard to lighting, landscaping and parking in unpaved areas within the Historic Districts.

Mayor Harris inquired about the status of updating and creating new ARB guidelines; whereupon, the Chair advised that the project will be completed in 2006 and it is anticipated that funding assistance will be requested; and when the review process has been completed, workshops and public hearings will be scheduled prior to submission of the guidelines to Council.

Council Member Cutler inquired if a Cradle to Cradle house could be constructed in the Historic District; whereupon, the Chair advised that a Cradle to Cradle house will be constructed in the Day Avenue area.

Ms. Blanton advised that the 30 per cent increase in persons appearing before the ARB over the last year has created more work for City staff, it is believed that an increase to staff time allocated to Architectural Review Board matters is necessary, and follow up is important to enforce Board decisions.

Mr. Harwood advised that some of the most difficult decisions of the ARB involves an applicant who had been issued a stop work order at a point where sizable investments, have been made in certain elements of construction such as siding, windows and roof replacement, and although great strides have been made to educate the public during the past two years with regard to permitted improvements in the Historic Districts, the Board must deny certain requests or set an unfavorable precedent. He stated that the requirement of a building permit would raise a red flag before a homeowner would need to come before the Architectural Review Board.

Mr. Richert called attention to better quality in the construction of significant infill houses/projects in the Historic District during the past year, i.e.: two single-family homes under construction at the end of Allison Avenue; a proposal for new townhouses along Woods Avenue; and a larger project on a three and one-half acre site at the end of Jeanette and King George Avenues, with the potential for 20 new town homes to be constructed in a fashion consistent with the H-2 District, all of which will present a significant increase in the City's tax base over the next few years.

Ms. Blanton stated that membership by the Board in the Certified Local Government program has been beneficial and has offered financial, technical, networking and training resources; and the City's financial support has gone a long way in educating the public and has resulted in fewer property owners having to appear before the ARB.

Ms. Beckett stated that the H-2 Overlay assessment evaluation prepared by the Director of Real Estate Valuation reflects how assessments have increased in the Historic Districts.

There being no further business, at 12:40 p.m., the Chair declared the meeting of the Architectural Review Board adjourned.

At 12:40 p.m., the Mayor declared the Council meeting in recess.

The Council meeting reconvened at 12:50 p.m., in Room 159, Noel C. Taylor Municipal Building, with all Members of the Council in attendance, Mayor Harris presiding.

The City Manager advised that the City of Roanoke has received approval by the Virginia Department of Transportation (VDOT), for the Martin Luther King, Jr., bridge replacement/renovation project.

CITY MARKET: The City Manager introduced Tom Low, Consultant, Duany Plater-Zyberg and Company (DPZ), for a presentation on the City Market study, including the Market Building, Century Station Parking Garage, Market Square and Farmer's Stalls, Streetscape Improvements and Paving.

Mr. Low stated that a charette process was used with workshops consisting of small and large groups of persons that generated considerable input throughout the process. He referred to a previous Council briefing which addressed the beginning of the City Market through the planning work of John Nolen in the early 20th century, the concept of forming cohesive neighborhoods, and that the downtown operated as a neighborhood of its own; over time the City Market evolved and eventually eroded in the 1970's, and through rebirth as a result of the Design '79 Plan, the Market became a phenomenal success, all of which provided a grounding point as what should be reviewed 25 years later.

General Recommendations:

Preserving the Heritage - Recommendations were developed through focusing on preserving the heritage as the starting point and foundation, with the idea it is a Farmers' Market, and farmers come first. Simple things like placing identifying plaques adjacent to each farmer's stall or vending site, which state the farmer's story including the regional connection, makes it more authentic and

unique to anywhere else in the world. The idea is that within the Roanoke Valley, this has been the central place and operates as a very compact, walkable, tight-knit destination for people from far away.

Site Boundary and Existing Buildings - Within a five-minute walk, a person could encircle the entire City Market area, which is a great scale that is not too spread out, with plenty of things to do within the market area proper. More attention and effort must be focused on the City Market area, the Market should be emphasized as an urban center and the remainder of downtown will follow as fruits of the labor of redesigning the City Market area.

Missing Buildings and Gaps - Over time and for various reasons, things have eroded, leaving many gaps and missing pieces, which could potentially be filled in various ways, including new buildings, parks, but not necessarily exposed parking lots. Drawings were used to show missing buildings and gaps, the existing building footprint and proposed build-out, and the proposed Master Plan sketch. The sites exposed vacant gaps, such as surface parking lots, which should be used for construction of new mixed-use buildings with street level retail shops.

Shop Front Facades - Ground floor shop front facades vary in quality and functionality. There are ways to improve shop front facades by considering the types of retail space to incorporate on the ground floor, by utilizing used-to-be designs that are inviting, and how some designs are not necessarily as inviting as they could be from a loading-dock perspective. The consulting team recommends creation of a façade improvement program to provide a design kit-of-parts to existing and potential building owners and tenants.

Parking Count and Ground Floor Square Footage - There is sufficient parking to meet the needs of the existing amount of ground floor commercial space, but parking needs to be better organized. Once this is established and reinforced as a destination, the “park once” mentality will take over, and people will be willing to spend time walking around the market as opposed to the “fast food drive through mentality”. Better signage and access is needed to direct shoppers to available parking spaces. The City Market area should be promoted as a “park once for all your shopping” destination; and additional parking garages should be encouraged as part of the new fill development.

Franklin Road Area - The area between the City Market study area and Elmwood Park (Franklin Road area) does not feel like an interesting or inviting urban place to be. The Franklin Road corridor presents an opportunity for further review, as solutions to problems caused by the 1960's urban redevelopment are not easy to come by. One solution is "edge development" that will help to make the City more urban and less suburban.

Merchandizing Plan - Laying out a merchandizing plan for the area will help the local commercial real estate industry attract the right tenants to the right location.

Finding More Anchors - The City Market area needs more anchors. The Western Virginia Art Museum will be a new anchor for the market area. Careful programming and use of the old Heironimus Building could become amenities and viable junior anchors. Using a merchandizing plan to advertise and market the entire City Market area as a shopping and tourist destination is a way to attract more desired junior anchor and small-scale specialty shops collectively.

Becoming a "Park Once" Destination - The City Market area will become a "park once" destination once redevelopment starts filling in the gaps and existing pieces of the market start to compliment each other and visitors will realize that there is a lot to do in the area, thus reinforcing the "park once" extended shopping over the "drive-thru only one farmer's stall" shopping.

Kirk Alley - Kirk Alley from Jefferson Street to Market Street could be a special intimate arts enclave, and is currently considered a walking street and intimate shortcut. Some areas are under utilized. Ideas include development of a mini-outdoor theatre, or projection of films on the blank wall, or enhancing the small pocket park at the corner of Kirk Avenue and Jefferson Street to make the park more urban with more landscaping, expansion of Century Plaza into the parking lot behind Lunsford Insurance to create a multi-use lawn area, and renovation of the pocket part at Jefferson Street and Kirk Alley as an urban plaza with a small building for active retail (restaurant) masking the blank wall of the parking garage.

Public Art - The City Market area is an ideal location for public art, not only adding art, but integrating art along the way so that it is incorporated into the design as it evolves. The City needs to be proactive when incorporating public art into the redevelopment program.

Special projects include:

Market Building – The City Market Building needs a major renovation. It needs to be updated, modernized and celebrated with active tenant leases. Space utilization needs to be turned inside out. There is the possibility of placing seating on the periphery of the building and placing a traditional farmer's market inside the hall, bringing in additional vendors to provide items that people living downtown would need.

- The City Market Building type should be considered the most important for the City Market Square area. Efforts should focus on enhancements to reinforce the character of the building. Important features of the building, such as signage and trace lights, are in good repair and bright.
- Emphasize the height of interior space by illuminating the pressed tin ceiling.
- Turn the uses inside out, remove food court seating, relocate dining along the periphery of the building, turn the interior into an expanded market area for vendors, including vendors that can provide for the daily needs of the growing downtown residential population.
- Construction of additional restrooms on the first floor.
- Replace individual bay doors and windows with all-glass rollup doors or French doors.
- Convert a portion of the perimeter bays on both sides to common dining areas, with doors that separate the dining areas from food preparation.
- Allow the dining area to extend out onto the sidewalk to create sidewalk cafés and extend into the street during certain hours for outdoor dining and special events.
- Second floor – Keep the mezzanine level as is; provide new structural support of the canopy to allow the mezzanine to open onto the roof over the canopy; relocate existing restrooms so the prime building corners overlooking the Market Square; program the space for one or two medium to large upscale restaurants, which can include a bar, private dining, and a café; and extend the seating and lounge areas onto the reinforced canopy at one or both ends.
- Third floor – Program and renovate the space as a flexible venue for live music, weddings, conferences, receptions, etc.; add restrooms, projection room and concession stand; and improve the acoustics and high quality audio/visual systems for a first rate entertainment venue.

Century Station Parking Garage – Renovations and additions to the Century Station Parking Garage should add desirable downtown housing, create anchor retail, increase the number of parking spaces, and enhance the overall City Market area.

- Suggest adding a covered colonnade along the walkway facing the Norfolk Southern office building.
- Designate one section of the ground floor center bay of the parking garage exclusively for farmer and vendor storage binds with adjacent truck parking.
- Provide space for public restrooms.
- Program the ground floor retail space for a new retail anchor, such as an FDA-approved, commercial style kitchen similar to Blue Ridge Food Ventures in Asheville, North Carolina.
- Add four stories of residential units on the top of the deck with units facing Church Avenue or Mill Mountain; include a courtyard garden on the top residential floor; and, as an option, program the proposed residential levels for use as a boutique hotel.
- Construct a new façade for the parking garage, including the ground floor retail; new façade design would provide a more functional and historically accurate architecture for a major City Market structure.

Market Square and Farmers' Stalls – The Market Square needs to be updated and its image as the heart of the area, if not the region, should be reinforced. Existing glass and steel canopies around Center in the Square are too short, nondescript, ineffective and normally dirty. The pavement is uneven and patched. The pedestrian experience is that of wading through car bumpers and other impediments that degrade the experience. Vendors' use of the Market Square will normally conflict with the possibility of outdoor dining; yet vendors' use is the historically correct precedent; therefore, vendors should be given first priority. Nighttime activities in Market Square should be further promoted. The average tourist does not know where the functions inside Center in the Square are located because entrances are not obvious, nor is signage effective. The Market Square needs attention to details such as paving, canopy configurations and signage.

- Suggest replacement and addition of new second story balconies for the full depth of the sidewalk around the perimeter of both East and West Market Square; extension of balconies down the first block of Market Square to Kirk Alley; and design details should include provisions for farmers' market stalls below, including awning extensions, lighting, heaters, fans, water, tables, storage and seating.
- Renovate Center in the Square building exterior to best activate the Market Square and better serve as an entry to internal venues, including replacement of the top floor sign with a vertical blade sign and a theater marquee at the northeast corner, introducing a box office ticket kiosk on the street corner, adding an exterior staircase to invite people to actually walk up to the balcony, reprogram the upper floor space with active uses such as a tearoom that opens onto the new balcony, and program the balconies on both sides to be available for use by live bands and other productions.
- Celebrate the Roanoke Weiner Stand in its existing location as a local institution and tourist destination.
- Balance the needs of farmers, restaurants, festivals and street life by increasing opportunities for dining outdoors, using the proposed second floor balcony around the perimeter of the City Market Square; program the City Market Square for more events that utilize the balcony as a stage; grade and resurface the pavement; enlarge and reorganize the farmers' stalls using the full perimeter of the City Market Square; and enhance the physical presence of Center in the Square with a ticket office kiosk and a handsome vertical blade sign.

Market Square - Farmers' Stalls - Market stalls between the City Market Square and Church Avenue (including the canopies, tables, infrastructure, location and design) need to be updated. Fabric awnings are in need of repair or redesign; canopies leak and do not enhance the ambience of the market; circulation between sidewalks and tables is congested; canopies in the second block of Market Street hide historic facades; existing designs are institutional and do not compliment the elegant shop front facades and historic downtown; and stalls located in the second block are considered overflow space during off-season and off-peak days.

- Option 1: Free standing, center of the street market stalls
- Option 2: Field test the new canopy idea as follows:
- Option 2A: Modify the design and slide it from the middle of Market Street to a location consistent with the current stall location.
- Option 2B: Use a taller version of the center canopy concept to allow diagonal parking underneath.

- Option 2C: Use a combination of low ends and a taller center for the canopy.
- Option 2D: Reverse the street center canopy design to allow customers to walk down the middle of the area with the farmers vending from one or both sides.
- Option 3: Reintroduce market vendors around the perimeter of the City Market Hall.
- Option 4: Make minimal improvements.
- Option 5: Extend the proposed balcony design from the Market Square and the first block of Market Street to the second block.

Market Square - Canopies – Replacing canvas canopies over the farmers' stalls may be a shortsighted option. Replacing fabric canopies and upgrading infrastructure is included in the study, but it is considered shortsighted and is not highly recommended.

Streetscape Improvements and Paving – Streetscape elements are dissimilar; and lack a recognizable theme. Seating is recommended for sidewalk cafés and public seating, benches for parks, seating for public squares and plazas, bike racks, bollards, light poles with coordinated hangers for baskets, signage and flag holders, kiosks and canopies, seating for pick-up truck tailgaters, and shoeshine stands.

- Lighting, Signage and banners – Lighting, signage and banners are not unified or organized. It is suggested that a company be selected that provides a fully coordinated system of lighting and urban accessories; either add Union Metal elements to the original fixtures as recommended in the Design '79 plan, or consider other companies (especially NERI) to completely upgrade the entire lighting, signage and information system.
- Pavement – Pavement is in poor condition and not unified. Suggestions are: Option 1 - standard asphalt; Option 2 - embossed asphalt with a special Roanoke stamped star pattern (should be chosen with caution; Option 3 - recycled salt glazed star brick; and Option 4 - brick pavers. Cost estimates should be completed for each option and presented to the stakeholders.

Williamson Road Development – The corner of Williamson Road and Church Avenue can become a destination area anchored by surrounding infill development. On the east side of the intersection of Williamson Road and Church Avenue, build a street level retail building with a parking lot to the rear, develop a cinema complex above the retail, and redevelop the parking lot on the

northwest corner as a mixed-use project that includes housing, parking and additional shops. On the existing Norfolk Southern building site, develop a sister building or low rise infill building along Church Avenue and on the side facing Williamson Road, and internalize the service function in a motor court.

Stepped Plaza - Create cascading stair steps to draw people from the pedestrian bridge over the railroad tracks to the City Market. This idea is similar to the Spanish Steps in Rome albeit on a smaller scale for Roanoke. The stepped plaza will become a destination for social interaction between Roanoke's citizens and tourists and serve as a public plaza and forecourt for the new art museum. The stepped plaza would be a perfect site for political rallies or a grandstand for performances and parades passing down Salem Avenue. Creation of a set of cascading stair steps is suggested similar to the Spanish Steps in Rome. It has been conceived as a destination for socializing, a public plaza and a forecourt for the new art museum, a site for political rallies, and a grandstand for performances and parades passing down Salem Avenue. As an option, include a miniature incline for accessibility and to serve as a tourist draw.

Drawing shoppers to Jefferson Street - Renovation of the Century Square Parking Garage will result in more pedestrian shopping on Church Avenue. The City should support efforts to make Fire Station No. 1 as visually inviting as possible, while preserving its function as a working fire station. This includes encouraging those staffing the fire station to enjoy the front porch environment. The Fire Department should also mount a plaque, similar to the proposed farmers' information plaque, to describe the history of the station house. Although there is some degree of public outreach, it needs to be more obvious. The leasing of ground floor space as offices needs to be phased out to provide additional space for inviting retail businesses. Owners of the Heironimus building should seek a strong anchor tenant as part of the merchandizing goals of the City Market area and Jefferson Street. Upscale national tenants would be ideal along this section of the streetscape. More local/regional venues, including an urban public library or a large bookstore like the original Borders, would enliven the street.

- Jefferson Street Streetcar - Bring the streetcar back to Jefferson Street. The City should support the concept of the streetcar line and act quickly to energize Jefferson Street.

- Jefferson Street needs help – Use the Merchandizing Plan to attract the best retail tenants for Jefferson Street; produce a pattern book or kit-of-parts for the design of shop fronts (storefronts) to be used for restorations, which would provide examples of first-rate retail facades that would compliment the historic character of downtown Roanoke.
- Jefferson Street Grade Crossing – Enhance Jefferson Street north of Campbell Avenue including restoring the grade-crossing across the tracks. Enhancement of the streetscape on Jefferson Street north of Salem Avenue is suggested, and supporting the idea of reconnecting Jefferson Street with a grade crossing to directly connect the cultural district with the downtown.

Public Enthusiasm – Citizens of Roanoke share the enthusiasm about the City Market Project. Make it happen in 2006.

The Mayor left the meeting during the presentation by Mr. Low.

Vice-Mayor Fitzpatrick expressed appreciation for Mr. Low's presentation and called for questions and/or comments by Council Members:

Council Member Dowe advised that one of the advantages of traveling is an opportunity to see first hand what other communities do to make visitors feel at home; however, the City of Roanoke has relegated itself to what its citizens might enjoy versus what a person not from the Roanoke area would enjoy. Therefore, he stated that some of the things discussed, particularly with regard the third floor area of the City Market Building, is commendable. He further stated that there is a natural investment that water related activities would bring, and suggested that the consultant look at an aesthetically pleasing, man-made water attraction for the downtown area. He further suggested that the market area be made more pedestrian friendly, and, in that regard, the City has already turned some of the one-way streets into two-way streets.

Mr. Low stated that water could be incorporated as an amenity to be looked at, such as a fountain or for recreation (to run through) and both concepts could be used on Kirk Alley as a part of public art; the environmental movement and greening of the buildings will incorporate some interesting ways of dealing with storm water by interfacing with public spaces in a fun way; and thought engaging artists and architects could be used to suggest various methods of using water. He added that the Market building mezzanine would be an excellent place to create a college-student destination.

Vice-Mayor Fitzpatrick stated that about 32 per cent of college students native to Virginia attend schools in this region, and providing shuttles from Hollins University, Roanoke College, Ferrum College and Virginia Tech have proven that there are two very different sets of people using the City Market.

Council Member Lea inquired about community involvement in the study in terms of the business sector, young persons, and persons from the minority community, as compared to the last study. Mr. Low stated that City staff did an excellent job of bringing all of the right people to the table which included stakeholders representing every faction, and the personalities of the individuals and groups that came forth represented the greater component of their faction, periodic reality testing was conducted of ideas and follow-up meetings were held.

Council Member Wishneff inquired if the study addressed matters such as the economics of renovating the City Market Building.

Mr. Low replied that it would be necessary for budget experts to review the various issues to determine the type of return on investments, inasmuch as some improvements could cost several million dollars; however, there would also be several million dollars worth of real estate to sell which could be a profitable venture. In summary, he stated that the study did not include improvements to the Market Building over a period of time or professional management issues, and it would be necessary for someone with more professional expertise to evaluate some of the more complex issue.

The City Manager advised that the briefing was intended to be the first opportunity to share preliminary information with the Council, and a final report will be completed and forwarded to Council at a later date; and the report does not include a cost benefit analysis, or suggest which improvements should be publicly committed to versus private sector commitment.

Council Member Cutler spoke in favor of private corporations in the Roanoke Valley subsidizing quality of architecture which would help the City to improve architecture in the downtown area. He stated that there is water in the downtown area which comes from Lick Run. He added that the proposed architecture looks a lot like architecture in New Orleans because it invokes the thought of music and it is hoped that the Dumas Hotel will be included in the same way.

Council Member McDaniel inquired as to what could be done relatively soon and inexpensively that would create a level of excitement. Mr. Lowe responded that illuminating the ceiling in the Market Hall would help and the installation of balconies around Center in the Square would provide an interesting and dynamic impact.

Vice-Mayor Fitzpatrick stated that it was important to understand that the City has gone through a metamorphous for many years in downtown Roanoke, downtown is a very important part of the economy of western Virginia, and how the City Market area is renovated will have an impact on a large number of people far beyond the Roanoke City limits. He cautioned that if the core of the City is not strong in terms of changing and growing, it will not be advantageous to pump money into the surrounding area.

On behalf of the Council, Vice-Mayor Fitzpatrick expressed appreciation to market consultants for staying within the boundaries of the City's request and for their creative vision and sense of functionality.

At 1:50 p.m., the Vice-Mayor declared the Council meeting in recess until 2:00 p.m., in the City Council Chamber.

At 2:00 p.m., on Monday, February 6, 2006, the Council meeting reconvened in the City Council Chamber, Room 450, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor C. Nelson Harris presiding.

PRESENT: Council Members M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff and Mayor C. Nelson Harris -----7.

ABSENT: None -----0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

ACTS OF ACKNOWLEDGEMENT-SISTER CITIES: The Mayor recognized the following middle school students from Wonju, Korea:

Jang, Hyun Woo
Kang, Sung Tak
Lee, Gil Hyun
Park, Sung Bae
Yang, Ji Won

Jung, Mok In
Lee, Hang
Lee, Su Ji
Lee, Sol Gi
Song, Yeon Hee, Chaperone

The Mayor advised that the City of Roanoke and Wonju, South Korea, will celebrate the 42nd Anniversary of their Sister Cities relationship this year; and the year 2006 also marks the third opportunity for students from Roanoke and Wonju to have the experience for a cultural and educational exchange. He stated that currently nine middle school youth from Wonju have been welcomed into Roanoke homes; and host families with children of complimentary ages have provided unique opportunities for personal enrichment during a three-week visit from January 20 to February 12. He expressed appreciation to Robert Roth, David Lisk, and Jennifer Mulligan, representing Roanoke Valley Sister Cities, for coordinating the visit.

The Mayor presented each student with an Honorary Citizen Certificate and a Roanoke pin. He presented Ms. Song, Chaperone, with an Honorary Citizen Certificate and a crystal star which is symbolic of the star on Mill Mountain.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, the item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meetings of Council held on Monday, November 21, 2005, Monday, December 5, 2005, and Monday, December 19, 2005, were before the body.

Vice-Mayor Fitzpatrick moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris -----7.

NAYS: None -----0.

ANNUAL REPORTS-ARCHITECTURAL REVIEW BOARD: A communication from the Architectural Review Board transmitting the 2005 Annual Report, was before Council.

(See pages 65-68.)

Vice-Mayor Fitzpatrick moved that the 2005 Annual Report of the Architectural Review Board be received and filed. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris -----7.

NAYS: None-----0.

ANNUAL REPORTS-ROANOKE NEIGHBORHOOD PARTNERSHIP: A communication from the Roanoke Neighborhood Advocates transmitting the 2005 Annual Report, was before Council.

It was advised that the Roanoke Neighborhood Advocates Committee was established in August 2003 by Council; and the Committee moved rapidly forward during the 2004-2005 period to better define ways to meet its assigned mission to improve communication between government and neighborhoods and to help improve neighborhoods.

The following accomplishments were summarized:

Code Enforcement Priority:

RNA chose Code Enforcement as its priority issue a year ago after polling neighborhood organizations.

Improved Communications on Zoning Issues:

Put in place a system whereby each RNA member receives copies of Board of Zoning Appeals requests that affect the neighborhoods that a specific member is assigned as the contact.

Expanded Efforts to Encourage Citizen Communication:

Two RNA members are working with member councils at Roanoke Redevelopment and Housing Authority sites to encourage public housing members to become involved with the neighborhood organizations in their area.

Education of Committee Members:

RNA members have been present at most major issue gatherings in the past year, from discussions about housing and retail development in South Roanoke and Southern Hills, to proposed use for land near the Roanoke Regional Airport, to presentations on proposals for school stadiums and plans for a Social Security office in Gainsboro.

Oversaw Neighborhood Grants Program:

RNA reviewed grant applications and awarded, with City Staff, \$49,025.00 in grants to improve neighborhoods.

Support for Brownfields Grants:

RNA worked with Housing and Neighborhood Services to support the department's grant proposal to EPA in which it seeks funds to assess and possibly clean up two Brownfield areas.

Contributions to Housing and Neighborhood Services Efforts:

RNA members have contributed to the neighborhoods' newsletters, most recently on the grants program.

RNA members conducted grant training for neighborhoods and attended overall grants information sessions.

An RNA member is overseeing the grants application process working with City staff.

Resource Centers in Library:

RNA has helped to establish neighborhood information centers in three libraries: Gainsboro, Melrose and Jackson Park.

Planning:

RNA is submitting requests for funds through Housing and Neighborhood Services in the next budget year for workshops and publications that can strengthen neighborhood groups.

There is a need to work on the following:

- Establishing and/or reinforcing neighborhood groups.
- Efforts to set up a neighborhood organization in the Gilmer area have not been successful, but meetings that have been held for that purpose allowed residents to hear about the City's new zoning ordinance and to hear about the Gateway project by representatives of the Roanoke Redevelopment and Housing Authority.
- Membership

- RNA's membership now stands at 11, with two vacant positions. RNA has never had a full participating membership, but movement in and out of the committee has resulted in a strong core group of people dedicated to the committee's mission.

Vice-Mayor Fitzpatrick moved that the 2005 Annual Report of the Roanoke Neighborhood Advocates be received and filed. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----7.

NAYS: None-----0.

COMMITTEES-TOWING ADVISORY BOARD: A communication from Tommy Wood tendering his resignation as a member of the Towing Advisory Board, was before Council.

Vice-Mayor Fitzpatrick moved that the resignation be accepted and that the communication be received and filed. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----7.

NAYS: None-----0.

CITY MARKET-LEASES: A communication from the City Manager requesting that Council schedule a public hearing for Tuesday, February 21, 2006, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to execution of a lease agreement with Juan E. Garcia, d/b/a Paradiso Cuban Restaurant, for space located in the City Market Building, 32 Market Square, for a three year period, was before the body.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----7.

NAYS: None-----0.

Y.M.C.A.-LEASES: A communication from the City Manager requesting that Council schedule a public hearing for Tuesday, February 21, 2006, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with execution of an amendment to the lease with the YMCA of Roanoke Valley, Inc., was before the body.

It was advised that on January 9, 2004, the City entered into a lease with the YMCA of Roanoke Valley, Inc., to lease certain City properties to the YMCA; the lease provides that the City will lease to the YMCA Official Tax Map Nos. 1113408, 1113409, 1113410, 1113411, 1113412, 113413, which are located directly north of the new YMCA facility and, in addition, the lease provides that after the City receives from the YMCA, three additional lots on which the old YMCA is located and most of the adjoining parking lot, Official Tax Map Nos. 1011206, 1011209, and 1011210, the City will also lease the lots to the YMCA.

It was further advised that the YMCA has requested an amendment to the leases that instead of leasing Official Tax Map Nos. 1011206, 1011209, and 1011210 to the YMCA, the City would lease Official Tax Nos. 1113508, 1113509, 1113510, 1113511, 1113512, 1113513, 1113514, 1113515, and 1113516 which are vacant lots located at the corner of 5th Street and Luck Avenue S. W.

It was explained that the term of the original lease and the requested amendment shall be on a month-to-month basis until the City constructs a public parking structure in the West Church Avenue corridor; and a public hearing is required as a prerequisite by Council to authorize amendment to the lease

The City Manager recommended that Council authorize a public hearing to be held on February 21, 2006 at 7:00 p.m., or as soon thereafter as the matter may be heard.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris -----7.

NAYS: None -----0.

CITY EMPLOYEES-EMERGENCY SERVICES: A communication from the City Manager advising that Section 44-146.19, Code of Virginia (1950), as amended, requires Council's concurrence in the appointment of a Coordinator of Emergency Management; and Michael Guzo, formerly with the North Carolina Department of Emergency Management, was selected for the position, was before the body.

The City Manager recommended that Council concur in the appointment of Michael Guzo as Coordinator of Emergency Management for the City of Roanoke, effective February 1, 2006.

Vice-Mayor Fitzpatrick moved that Council concur in the recommendation of the City Manager. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----7.

NAYS: None-----0.

COMMITTEES-ZONING-HUMAN DEVELOPMENT COMMITTEE-OATHS OF OFFICE-ROANOKE NEIGHBORHOOD PARTNERSHIP: A report of qualification of the following persons, was before Council:

Cheri W. Hartman as a member of the Human Services Advisory Board, for a term ending November 30, 2009;

Carol J. Jensen as a member of the Roanoke Neighborhood Advocates, to fill the unexpired term of Earnest C. Wilson, ending June 30, 2007; and

Joseph F. Miller as a member of the Board of Zoning Appeals, for a term ending December 31, 2008.

Vice-Mayor Fitzpatrick moved that the report of qualification be received and filed. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----7.

NAYS: None-----0.

REGULAR AGENDA

PUBLIC HEARINGS:

CITY MARKET-CITY PROPERTY-LEASES: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, February 6, 2006, at 2:00 p.m., or as soon thereafter as the matter may be heard, on a proposal to lease City-owned property located at 32 Market Square, S. W., to Louis and Anita Wilson, d/b/a Burger in the Square, to be used as a food service establishment, for a term of three years, commencing March 1, 2006, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, January 27, 2006.

The City Manager submitted a communication advising that the City of Roanoke owns the City Market Building located at 32 Market Square; and the City began management of the building on May 1, 2005, after the former management company, Advantis Real Estate, terminated the management contract for the property.

It was further advised that Louis and Anita Wilson, owners and operators of Burger in the Square, have requested a lease agreement for approximately 462 square feet to operate a restaurant serving hamburgers and hotdogs for a period of three years, beginning March 1, 2006 through February 28, 2009, and the proposed agreement establishes the following base rent:

First Floor Space

Period	Per Square Foot	Monthly Rent Amount	Annual Rent Amount
3/1/06 - 8/31/06	\$32.26	\$467.77	\$2,806.62
9/1/06 - 2/28/07	\$28.00	\$406.00	\$2,436.00
3/1/07 - 2/29/08	\$28.84	\$418.18	\$5,018.16
3/1/08 - 2/28/09	\$29.71	\$430.73	\$5,168.70

Second Floor Space

Period	Per Square Foot	Monthly Rent Amount	Annual Rent Amount
3/1/06 - 2/28/07	\$10.00	\$240.00	\$2,880.00
3/1/07 - 2/29/08	\$10.30	\$247.20	\$2,966.40
3/1/08 - 2/28/09	\$10.61	\$254.62	\$3,055.39

It was explained that the initial two six month periods of the proposed rent for first floor space provides a transition from the lease rate in Mr. and Mrs. Wilson's previously expired lease into the new per square foot rent structure that has been identified in the Market Building for food court tenants; rent for the second floor space is for a secured food prep area used solely by the tenant and is not a part of the common area space; the common area maintenance fee is \$300.00 per month for first floor space and \$100.00 per month for second floor space that will increase by three per cent upon each anniversary of the Lease; Burger in the Square restaurant has been a tenant in the City Market Building since June 1, 1999, and there is no renewal provision in the lease.

The City Manager recommended that she be authorized to execute a lease agreement with Louis and Anita Wilson, d/b/a Burger in the Square, for approximately 462 square feet of space in the City Market Building, for a period of three years, beginning March 1, 2006 through February 28, 2009, said lease agreement to be subject to approval as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37287-020606) AN ORDINANCE authorizing the lease of approximately 462 square feet of space located within City-owned property known as the City Market Building, located at 32 Market Square, for a term of three years beginning March 1, 2006 through February 28, 2009; authorizing the appropriate City officials to execute a lease agreement therefor; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 70, page 132.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37287-020606. The motion was seconded by Council Member Dowe.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37287-020606 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----7.

NAYS: None-----0.

CITY MARKET-CITY PROPERTY-LEASES: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, February 6, 2006, at 2:00 p.m., or as soon thereafter as the matter may be heard, on the proposal to lease City-owned property located at 32 Market Square to Adel Eltawansy, d/b/a Zorba's, to be used as a food service establishment, for a term of three years, commencing March 1, 2006, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, January 27, 2006.

The City Manager submitted a communication advising that the City of Roanoke owns the City Market Building located at 32 Market Square, and the City began management of the building on May 1, 2005, after the former management company, Advantis Real Estate, terminated the management contract for the property.

It was further advised that Adel Eltawansy, owner and operator of Zorba, has requested a lease agreement for approximately 210 square feet to operate a restaurant serving Greek and Mediterranean cuisine for a three year period beginning March 1, 2006 through February 28, 2009; and the proposed agreement establishes the following base rent rate:

Period	Per Square Foot	Monthly Rent Amount	Annual Rent Amount
3/1/06 - 8/31/06	\$36.03	\$630.53	\$3,783.15
9/1/06 - 2/28/07	\$28.00	\$490.00	\$2,940.00
3/1/07 - 2/29/08	\$28.84	\$504.70	\$6,056.40
3/1/08 - 2/28/09	\$29.71	\$519.84	\$6,238.09

It was explained that the initial two six month periods of the proposed rent provides a transition from the lease rate in Mr. Eltawansy's previously expired lease into the new per square foot rent structure that has been identified in the Market Building for food court tenants; common area maintenance fee is \$300.00 per month that will increase by three per cent upon each anniversary of the lease; and Zorba's restaurant has been a tenant of the Market Building since November 1, 1989, and there is no renewal provision in the lease.

The City Manager recommended that she be authorized to execute a lease agreement with Adel Eltawansy, d/b/a Zorba, for approximately 210 square feet of space in the City Market Building, for a period of three years beginning March 1, 2006 through February 28, 2009, said lease agreement to be subject to approval as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37288-020606) AN ORDINANCE authorizing the lease of approximately 210 square feet of space located within City-owned property known as the City Market Building, located at 32 Market Square, for a term of three years beginning March 1, 2006 through February 28, 2009; authorizing the appropriate City officials to execute a lease agreement therefor; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 70, page 133.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37288-020606. The motion was seconded by Council Member Dowe.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37288-020606 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----7.

NAYS: None-----0.

CITY MARKET-CITY PROPERTY-LEASES: Pursuant to instructions by Council, the City Clerk having advertised a public hearing for Monday, February 6, 2006, at 2:00 p.m., or as soon thereafter as the matter may be heard, on the proposal to lease City-owned property located at 32 Market Square to David Z. Estrada, d/b/a Chico's Big Lick Pizza, to be used as a food service establishment, for a term of three years, commencing March 1, 2006, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, January 27, 2006.

The City Manager submitted a communication advising that the City of Roanoke owns the City Market Building, located at 32 Market Square; and the City began management of the building on May 1, 2005, after the former management company, Advantis Real Estate, terminated the management contract for the property.

It was further advised that David Z. Estrada, owner and operator of Chico's Big Lick Pizza, has requested a lease agreement for approximately 680.5 square feet to operate a restaurant serving pizza; the proposed lease agreement is for a three year period, beginning March 1, 2006 through February 28, 2009; and the following base rent rate is proposed:

Period	Per Square Foot	Monthly Rent Amount	Annual Rent Amount
3/1/06 - 8/31/06	\$31.85	\$1,806.16	\$10,836.96
9/1/06 - 2/28/07	\$28.00	\$1,587.83	\$ 9,527.00
3/1/07 - 2/29/08	\$28.84	\$1,635.47	\$19,625.62
3/1/08 - 2/28/09	\$29.71	\$1,684.53	\$20,214.39

It was explained that the initial two six month periods of the proposed rent provides a transition from the lease rate in Mr. Estrada's previously expired lease into the new per square foot rent structure that has been identified in the Market Building for food court tenants; and the common area maintenance fee is \$400.00 per month that will increase by three per cent upon each anniversary of the lease; and Chico's Big Lick Pizza restaurant has been a tenant of the Market Building since August 1, 1995, and no renewal provision is contained in the lease agreement.

The City Manager recommended that she be authorized to execute a lease agreement with David Z. Estrada, d/b/a Chico's Big Lick Pizza, for approximately 680.5 square feet of space in the City Market Building, for a period of three years, beginning March 1, 2006 through February 28, 2009, said lease agreement to be subject to approval as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37289-020606) AN ORDINANCE authorizing the lease of approximately 680.5 square feet of space located within City-owned property known as the City Market Building, located at 32 Market Square, for a term of three years beginning March 1, 2006 through February 28, 2009; authorizing the appropriate City officials to execute a lease agreement therefor; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 70, page 134.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37289-020606. The motion was seconded by Council Member Dowe.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37289-020606 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----7.

NAYS: None-----0.

CITY MARKET-CITY PROPERTY-LEASES: Pursuant to instructions by Council, the City Clerk having advertised a public hearing for Monday, February 6, 2006, at 2:00 p.m., or as soon thereafter as the matter may be heard, on the proposal to lease City-owned property located at 32 Market Square to Georgia Raines Crump, d/b/a Nuts N Sweet Things/LicketySplit, to be used as a food service establishment, for a term of three years, commencing March 1, 2006, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, January 27, 2006.

The City Manager submitted a communication advising that the City of Roanoke owns the City Market Building, located at 32 Market Square; and the City began management of the building on May 1, 2005, after the former management company, Advantis Real Estate, terminated the management contract for the property.

It was further advised that Georgia Raines Crump, owner and operator of Nuts n Sweet Things/LicketySplit, has requested a lease agreement for approximately 290 square feet of space to operate a restaurant serving sweets, ice cream/frozen yogurt cuisine; the proposed lease agreement is for a three year period beginning March 1, 2006 through February 28, 2009; and the following base rent rate is proposed:

Period	Per Square Foot	Monthly Rent Amount	Annual Rent Amount
3/1/06 - 8/31/06	\$33.62	\$812.48	\$4,874.90
9/1/06 - 2/28/07	\$28.00	\$676.67	\$4,060.00
3/1/07 - 2/29/08	\$28.84	\$696.97	\$8,363.60
3/1/08 - 2/28/09	\$29.71	\$717.88	\$8,614.51

It was explained that the initial two six month periods of the proposed rent provides a transition from the lease rate in Ms. Crump's previously expired lease into the new per square foot rent structure that has been identified in the Market Building for food court tenants; common area maintenance fee is \$300.00 per month that will increase by three per cent upon each anniversary of the lease; Nuts n Sweet Things/LicketySplit restaurant has been a tenant of the Market Building since October 1, 1995, and no renewal provision is included in the lease.

The City Manager recommended that she be authorized to execute a lease agreement with Georgia Raines Crump, d/b/a Nuts n Sweet Things/LicketySplit, for approximately 290 square feet of space in the City Market Building, for a period of three years, beginning March 1, 2006 through February 28, 2009, such lease agreement to be subject to approval as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37290-020606) AN ORDINANCE authorizing the lease of approximately 290 square feet of space located within City-owned property known as the City Market Building, located at 32 Market Square, for a term of three years beginning March 1, 2006 through February 28, 2009; authorizing the appropriate City officials to execute a lease agreement therefor; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 70, page 135.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37290-020606. The motion was seconded by Council Member Dowe.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37290-020606 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----7.

NAYS: None-----0.

CITY MARKET-CITY PROPERTY-LEASES: Pursuant to instructions by Council, the City Clerk having advertised a public hearing for Monday, February 6, 2006, at 2:00 p.m., or as soon thereafter as the matter may be heard, on the proposal to lease City-owned property located northwest of the former City Nursing Home at Coyner Springs to Ned Jeter for agricultural use, for a term of one-year, with an option for four one-year renewals, commencing March 1, 2006, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, January 27, 2006.

The City Manager submitted a communication advising that property owned by the City of Roanoke in Botetourt County located northwest of the former City Nursing Home at Coyner Springs has been leased for agricultural purposes to several individuals since the early 1970's; through the years, the City has reduced the size of the leased tract, which is now approximately 7.41 acres; the current lease which has been in effect since April 20, 1982, with Richard B. and Ned B. Jeter has expired and the Jeters have requested that Ned Jeter be granted a one-year lease, with four mutually agreed upon one-year renewal options, under the same terms as the previous lease at \$74.10 per year.

It was further advised that farming of the tract of land serves the primary purpose of eliminating the need for City forces to keep the land cleared and mowed; lease rate is \$10.00 per acre per year; the lessee will be required to maintain fencing as necessary and assume all liability for damage to and by his actions, or the actions of livestock, machinery, equipment, employees and guests; and the lessee will provide liability insurance listing the City of Roanoke, its officers, agents, employees and volunteers as additional insured.

The City Manager recommended that she be authorized to execute a lease agreement with Ned Jeter for approximately 7.41 acres of land in Botetourt County, for a period of one year, subject to four additional renewals of one year terms, upon mutual agreement of the parties, beginning March 1, 2006 through February 28, 2007, said lease agreement to be subject to approval as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37291-020606) AN ORDINANCE authorizing the lease of an approximate 7.41 acre tract of City-owned land in Botetourt County, located northwest of the former City Nursing Home at Coyner Springs, for agricultural purposes, for a term of one year beginning March 1, 2006, and expiring February 28, 2007, with four mutually agreed upon one year renewal options under the same terms, at an annual rental of \$10.00 per acre per year; authorizing the appropriate City officials to execute a lease agreement therefor; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 70, page 136.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37291-020606. The motion was seconded by Council Member Dowe.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37291-020606 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----7.

NAYS: None-----0.

PETITIONS AND COMMUNICATIONS:

HOUSING/AUTHORITY-TOTAL ACTION AGAINST POVERTY: A communication from Theodore J. Edlich, III, President, Total Action Against Poverty (TAP) advising that:

- TAP purchased the Terrace Apartments last year; in doing so, it has been TAP's intent from the beginning to manage and renovate the property in such a way that it will increase the quality of life for families residing there and add value to the neighborhood and to the City of Roanoke.

- After much consideration of the various financing options, TAP has concluded, and its Board of Directors supports, the submission of a low income housing tax credit application in order to fully renovate the property.
- By using this financing mechanism, TAP can reduce unit density from 225 units to 199, incorporate ten per cent of the units with families at 80 per cent AMI, and invest at least \$40,000.00 per unit.
- This funding source will allow TAP to make improvements to the major mechanical systems, improve accessibility within the complex, modernize outdated units, provide additional amenities to the complex and improve landscaping.
- In addition to the benefits to residents, renovation will provide an increase in the amount of annual property taxes from the current rate of \$58,000.00 to approximately \$125,000.00.
- To maximize the amount of private funds, TAP is applying for credits in two phases, Terrace North and Terrace South, and will submit two successive low income tax credit applications over two consecutive years, 2006 and 2007, to provide resources for renovating the entire complex.
- If TAP is successful in obtaining low income tax credits, it plans to proceed with applying for tax deferred bond funding which is not competitive, but will provide far less funding (\$25,000.00 per unit), prohibit TAP's ability to reduce density, limit additional landscaping and not allow TAP to consider any apartments that are above 60 per cent of median income.
- While this will improve the existing property, it will not give TAP the resources to do the substantial improvements that low-income tax credits will provide.
- TAP has sought to place itself in the best possible position to be successful by putting together a competent team which includes J. M. Turner Construction Company, Art & Architecture, Development Initiatives, Inc., Gentry, Locke, Rakes & Moore, Terrace residents, the Greater Raleigh Court Civic League and the Wasena Neighborhood Forum.

- Several design sessions were held with residents and community meetings were held with neighborhood organizations in order to make certain that they understand the project, to provide the opportunity to make comments and suggestions and to keep open the lines of communication as the process moves forward.
- TAP recognizes and understands the City of Roanoke's position with regard to the support of tax credit applications to create additional low-income housing and is not attempting to create more low-income housing, but rather to improve the quality of low-income housing that already exists and to further reduce the density of the complex; and, in addition, the project will enhance residential housing in surrounding neighborhoods and increase property taxes coming to the City of Roanoke.

Mr. Edlich introduced Heather Polson, Chair, TAP Board of Directors; Angela Penn, TAP Director of Housing and Community Development; Susheela Shanta, President, Development Initiatives, Inc.; Tim Barnett, representing Turner Construction Company; and Rick Haynie, representing Art and Architecture.

Mr. Edlich advised that in order to move the project forward and to be successful in the application process, TAP is asking for the City of Roanoke to support the application and to provide financial support from the City's allocation of HUD funds in the amount of \$500,000.00 over a four year period, which is less than three per cent of the total investment on the project and will be returned to the City in taxes within seven years.

Ms. Polson advised that the Terrace Apartments Project will provide a unique opportunity for the City of Roanoke and TAP to form a partnership inasmuch as the City has expressed an interest in reducing housing density, while maintaining a model of mixed income development. She stated that residents of the Terrace Apartments have been good neighbors which could be attributed to the long-term and stable management group that was retained by TAP; TAP wishes to make improvements to the apartments by reducing density, performing the necessary systems improvements, and making exterior improvements such as landscaping. She called attention to letters of support from the Greater Raleigh Court Civic League and the Wasena Neighborhood Association and advised that the City has been presented with information outlining three financing options; TAP will proceed with some renovations to the Terrace Apartments; however, the extent of renovations will depend upon funding and the level of the City's support. She explained that the minimal financing option would be a non competitive bond financing that would provide approximately \$25,000.00 per unit and allow for certain systems upgrades, but no exterior improvements, and will not allow for a reduction in the percentage of low income housing; an intermediate option would require a letter of support

from the City of Roanoke, but no financing by the City, would provide more funds per unit for systems upgrades, and would also reduce density in terms of the actual number of apartments in the complex. She stated that the final option, which requires both a letter of support from the City and \$500,000.00 over a period of several years, would allow TAP to both reduce the density of the number of apartments and reduce the percentage of low income residents by setting aside ten per cent of the units with no income restriction, and providing that type of mix would be viable, especially to senior citizens because the apartments are located within walking distance of all of the various amenities in the Grandin Road area.

Ms. Penn advised that the neighborhood development process has been inclusive of all parties that would be impacted by renovation of the Terrace Apartments; the process started with organizing and conducting several design charettes which offered participants the opportunity to provide input; the first charrette was held in September, 2005 and included members of the TAP Board, senior staff members, property management staff, and project architects; the second charrette was conducted in November, 2005 with over 75 residents of the Terrace Apartments participating in round table discussions regarding children, grounds, outdoor spaces, accessibility, laundry facilities, community spaces and various services; and the third charrette involved talking with neighbors through the Greater Raleigh Court Civic League and the Wasena Forum which provided an opportunity for TAP to explain the project and available options in order to move forward with implementation; and both groups chose to support the project in written format. She added that while each session targeted different groups, there was a similarity of comments; i.e.: removal of trash receptacles from view, access by those who do not live in the community, increasing outdoor lighting, improving accessibility throughout the complex, a need for community space, and appropriate play areas for children. She stated that TAP is pleased with the process which has been one of openness and inclusion of all stakeholders.

Susheela Shanta, President, Development Initiatives, Inc., advised that when TAP acquired the property, one of its goals was to renovate the complex and to provide a better quality of housing for tenants already living in the Terrace Apartments, which included upgrading and updating all appliances in the units, a new roof, modification of the heating system from gas to electric; when the cost of completing all renovations was evaluated, which are projected at over \$20 million, it was decided to approach the project in two phases, Terrace North and Terrace South; the Low Income Housing Tax Credit Program, offered by the Virginia Housing Development Authority, includes a ceiling on the number of credits that can be accessed at any one time for a project in any given year, or 650,000 credits which converts to approximately \$5.8 million in investment; and when broken down into two projects over two separate funding years, TAP would be able to generate about twice as much in funds, therefore,

TAP made the decision to complete the project in two phases. She noted that reducing housing density was previously discussed; currently the complex consists of 225 apartments, and by dividing the project into Terrace North and Terrace South, Terrace North, which currently has 93 units will be financed first; and by reducing density, the number of apartments will be reduced to 78 which is approximately 18 per cent of total units.

Council Member Cutler stated that he was in support of the concept to improve the Terrace Apartments; however, assuming that the City of Roanoke provides \$500,000.00 toward renovation of the apartments, how much additional property tax would be paid per year to the City beyond what would have been paid without the City's subsidy; and, in effect, the City would be reimbursed through increased property taxes for its front end investment.

Ms. Shanta advised that TAP estimates if the City supports approximately \$500,000.00, TAP could invest about \$60,000.00 or more in hard costs per unit, thereby increasing property taxes or assessment by over two times; and currently, property taxes are approximately \$58,000.00 per year for the entire complex, and it is anticipated that property taxes will at least double and will pay off the City's investment.

Vice-Mayor Fitzpatrick advised that the request should be referred to the City Manager for study and report prior to any action by Council.

Council Member Dowe referred to a statement in Mr. Edlich's letter that if TAP is not successful in obtaining low income tax credits, it will proceed with applying for tax deferred bond funding which is not competitive and will provide far less funding. He stated that it appears that certain things may need to happen before TAP makes a decision on whether to apply for a tax credit or tax deferred bond funding.

Ms. Shanta advised that TAP will apply for low income housing tax credits for Terrace North by March 11, 2006, which is the deadline for applications; the only unknown is that housing tax credits involve a highly competitive process and if TAP scores high enough and has the support of the City, it will be funded.

There was discussion with regard to external changes to the complex and whether the changes would aesthetically alter the façade; whereupon, Ms. Shanta advised that the complex is a historic structure; therefore, certain standards imposed by the Secretary of the Interior will apply to renovation and will require TAP to obtain authorization by the Department of Historic Resources and the National Park Service to perform the necessary modifications. She stated that any exterior changes will be more in line with improving the quality of life for occupants, sidewalks currently do not connect and residents cannot traverse the sidewalk without walking in the road, therefore, sidewalks will be redesigned to make travel a more continuous

process with landscape improvements, exterior windows will be replaced and/or repaired as needed, some storm windows will be installed to make the building more energy efficient, the area designated for trash will be sheltered and fenced in, motion sensitive lights will be installed, playgrounds will be constructed with a proper basketball court and playground equipment, traffic calming measures will be implemented, and sheltered mailboxes and other desirable features could be added subject to funding.

During further discussion, Ms. Shanta advised that ten per cent of the units will be reserved for persons with mobility impairments and will be handicap accessible; currently, there are no elevators in the complex and due to costs in excess of \$50,000.00 each, no elevators will be installed, however, stairwells currently exist on two sides of the building at each entrance; and the site is hilly, but access to at least ten per cent of the units is available from the street on the first level.

Council Member Lea inquired if TAP is working within a time frame in which to receive the City's letter of support; whereupon, the City Manager advised that the City has until March 25, 2006, to respond to the request of TAP, as well as two other requests that have been received.

Council Member Lea spoke in support of renovating the Terrace Apartments which is a quality of life issue.

Council Member Wishneff inquired about incentives available to residents as a result of TAP's involvement in the project; whereupon, Mr. Edlich responded that one of the virtues of TAP owning the apartments is that TAP is a local organization and there is a certain amount of accountability to people in the community and to Council; and TAP offers a wide variety of resources that can be made available to residents.

Council Member McDaniel inquired about schematic drawings for the buildings; whereupon, Mr. Edlich advised that TAP is required to negotiate with the Department of Historic Resources with regard to exterior enhancements and when actual schematic drawings are available and following approval by the Department of Historic Resources, the plans will be submitted to Council for review.

Under the scenario of improvements of \$25,000.00, \$45,000.00 and \$60,000.00 per unit, Council Member McDaniel inquired if the amount will actually go toward improving each unit, or if the number was based on the number of housing units. Ms. Shanta responded that the number was calculated by using total hard costs for the project, and hard costs are construction costs divided into the number of actual units.

Question was raised with regard to the difference between the \$45,000.00 and \$60,000.00 scenarios; whereupon, the architect advised that it could make the difference between the actual number of units to be modified. He stated that handicapped accessibility is an issue, currently there is no air conditioning in any of the buildings, three bedroom units have one bathroom and the goal is to install two bathrooms that are ADA compliant; if funds are decreased, the most logical approach would be to decrease the number of units to be renovated; and first floor units will be needed in order to meet handicapped accessibility requirements.

There was discussion with regard to median income of residents; whereupon, Ms. Shanta advised that the tax credit program requires that all tenants be held to income limits of 60 per cent AMI, and going above 60 per cent AMI automatically removes that number of units from the basis on which tax credits are calculated; however, when looking at the market analysis in Roanoke, potentially 80 per cent of area median income residents would be interested in living in the complex.

Mr. Edlich advised that if TAP receives the full support of the City, which includes not only a letter of support, but \$500,000.00 over a four year period, the density of low income housing will be reduced by 45 units, or 200 units as opposed to 225 units; and a specific number of units would be available to persons at any income level in order to create mixed income residency.

Mayor Harris advised that the Raleigh Court area is one of the most economically and ethnically diverse neighborhoods in the City of Roanoke which provides the area a certain dynamism, synergy and vitality. He stated that TAP has presented three options which the Vice-Mayor has suggested should be referred to the City Manager for study and report, and if Council wishes to proceed, the matter should be referred to the City Manager for a recommendation to Council within 30 days. He added that the request should also be referred to the Director of Finance, particularly as it relates to Option No. 3 which includes a request for \$500,000.00 over a period of four years.

Mr. Edlich requested that TAP receive some indication of the City's interest prior to March 5, 2006.

The City Manager advised that TAP has been requested to furnish additional information, all of which will be necessary to complete a comprehensive review. She stated that if the City were to make a commitment of \$500,000.00, or some other amount over a period of time, such action would be in advance of the normal process for identifying either CMERP needs or on-going capital needs; and it is difficult to consider TAP's request without giving consideration to all other requests for assistance.

Following further discussion, it was the consensus of Council to refer the request of Total Action Against Poverty to the City Manager for report to Council prior to and no later than the regular meeting of Council on Monday, March 6, 2006.

(Council Member Wishneff left the meeting.)

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

CITY EMPLOYEES-ECONOMIC DEVELOPMENT: The City Manager introduced Stuart Mease, Special Projects Coordinator, Economic Development. She advised that his primary responsibilities will be to attract and retain young people to the Roanoke area and to serve as liaison between City of Roanoke businesses and area institutions of higher education.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-FIRE DEPARTMENT-GRANTS: The City Manager submitted a communication advising that on August 11, 2000, the Virginia Fire Services Board (VFSB) adopted a policy of providing grants, termed "Mini-Grants" from interest earned by the Fire Programs Fund; the VFSB Committee on Fire Prevention and Control was charged with the responsibility of administering such programs in cooperation with the Virginia Department of Fire Programs (VDFP); a provision was adopted to restrict such grant activities - projects and programs which positively impact and/or further fire service training within the Commonwealth of Virginia; the maximum award for any Mini-Grant is \$10,000.00; and in fiscal year 2001, the Mini-Grant's first award cycle, the Virginia Fire Services Board made 27 awards, totaling over \$100,000.00.

It was further advised that the Virginia Department of Fire Programs recently announced that the Roanoke Fire-EMS Department was awarded a \$7,500.00 Department of Fire Programs (DFP) "Mini-Grant", which requires no local match; the award will be used by the Fire/EMS Department for construction of a forcible entry simulator at the Roanoke Valley Regional Training Center; and with the grant, the Training Center will be able to purchase a simulator to provide forcible entry classes that now require appropriation of a vacant building that is often difficult to obtain.

The City Manager recommended that she be authorized to execute the required grant agreement and any other related documents, subject to approval as to form by the City Attorney, in the amount of \$7,500.00; and that Council adopt an ordinance establishing a revenue estimate, in the amount of \$7,500.00, and appropriate funds in the same amount to an expenditure account to be established by the Director of Finance in the Grant Fund.

Council Member Cutler offered the following budget ordinance:

(#37292-020606) AN ORDINANCE to appropriate funding from the Commonwealth for the Department of Fire Programs Training Mini-Grant, amending and reordaining certain sections of the 2005-2006 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, page 137.)

Council Member Cutler moved the adoption of Ordinance No. 37292-020606. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff was absent.)

Council Member Dowe offered the following resolution:

(#37293-020606) A RESOLUTION accepting a mini-grant offer made to the City by the Virginia Fire Services Board and authorizing execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 70, page 137.)

Council Member Dowe moved the adoption of Resolution No. 37293-020606. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff was absent.)

BUDGET-FIRE DEPARTMENT-EMERGENCY SERVICES-GRANTS-EQUIPMENT:
The City Manager submitted a communication advising that the Virginia Department of Health, Office of Emergency Medical Services, administers a Rescue Squad Assistance Fund (RSAF) grant program which is awarded twice annually; and Roanoke Fire-EMS applied for the grant in September 2005 in order to purchase a Ford Type 111 Ambulance and medical monitoring equipment.

It was further advised that in January 2006, the State Office of Emergency Medical Services awarded Roanoke Fire-EMS a grant of \$42,235.00 to be used toward the purchase of an ambulance with an apparent bid, if accepted, of \$89,794.00; the grant requires a \$47,559.00 local match; and sufficient matching funds are budgeted in Fleet Management - Vehicular Equipment, Account No. 017-440-2642-9010.

The City Manager added that the State Office of Emergency Medical Services has also awarded Roanoke Fire/EMS a grant, in the amount of \$19,500.00, to be used toward the purchase of medical monitoring equipment requiring a \$19,500.00 local match; and funding for the local match is budgeted in Local Match Funding for Grants, Account No. 035-300-9700-5415.

The City Manager recommended that she be authorized to execute any required grant agreements or documents, subject to approval as to form by the City Attorney; and that Council adopt a budget ordinance establishing revenue estimates, in the amount of \$61,735.00 (RSAF Grant) and \$67,059.00 (RSAF Local Match), transfer \$47,559.00 in local match funds from the Fleet Management Fund, Account No. 017-440-2642-9010, transfer \$19,500.00 from Local Match Funding For Grants, Account No. 035-300-9700-5415; and appropriate funds totaling \$128,794.00 to an expenditure account to be established by the Director of Finance in the Grant Fund.

Council Member Cutler offered the following budget ordinance:

(#37294-020606) AN ORDINANCE to appropriate funding from the Commonwealth of Virginia for the Rescue Squad Assistance Fund (RSAF) Grant, amending and reordaining certain sections of the 2005-2006 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, page 138.)

Council Member Cutler moved the adoption of Ordinance No. 37294-020606. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff was absent.)

BUDGET-HOUSING/AUTHORITY-GRANTS: The City Manager submitted a communication advising that in order to receive Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) and Emergency Shelter Grant (ESG) funding, the City of Roanoke must submit a five-year Consolidated Plan and Annual Updates to the U. S. Department of Housing and Urban Development (HUD); substantial amendments to the Plan must undergo a 30-day public review and be approved by City Council; and it is recommended that the City's 2005-2010 Consolidated Plan be amended to add the 2006 World Changers project, and revise the Belmont Community Healthcare Center project.

It was further advised that World Changers, a volunteer ministry of the North American Mission Board, Southern Baptist Convention (World Changers), brings together youth and adults from across the nation to participate in housing and related community service projects; last year, under a subgrant agreement with Blue Ridge Housing Development Corporation, Inc. (BRHDC), which provided CDBG funding for materials and other support, approximately 350 World Changers volunteers assisted in repairing over 30 homes in the City of Roanoke; given three consecutive successful years with the project and the productive working relationships that have been established, the City, BRHDC and World Changers are looking to conduct another project during the week of July 10, 2006; and a total of \$80,000.00 in CDBG funds is to be committed to the 2006 project.

The City Manager stated that the Belmont Community Healthcare Center (BCHC) project was originally designed to use \$42,000.00 in CDBG funding for predevelopment costs associated with constructing a healthcare center to serve the Belmont and Fallon neighborhoods; and uncertainties in other Federal resources have required postponing development of the facility to allow CDBG funds to assist with obtaining health services needed by residents to be provided at neighborhood or other sites through partnerships with other health providers.

It was explained that the required 30-day public review period for the amendments began on December 21, 2005, with comments due by the close of business on January 23, 2006; no objections to the proposed amendments were received; in order to implement activities, authorization by Council is required to execute subgrant agreements; with regard to World Changers, a subgrant

agreement will outline activities to be undertaken; the \$80,000.00 in CDBG funds must be appropriated from approximately \$404,000.00 in 2005-2006 program income in excess of current revenue estimates which includes \$445,000.00 excess program income received from The Hotel Roanoke, less other planned program income still to be collected from other sources; and the balance of excess program income will be appropriated for use in the 2006-2007 budget.

With respect to the BCHC project, the City Manager advised that the subgrant agreement is still in development, and it is anticipated that the agreement will be submitted at the February 21, 2006 Council meeting.

The City Manager recommended that she be authorized to amend the 2005-2010 Consolidated Plan Annual Update to add the World Changers project and to revise the Belmont Community Healthcare Center project, including submission of the necessary documents to HUD; that Council adopt a budget ordinance increasing the revenue estimate in Account No. 035-G06-0600-2634 (Hotel Roanoke Section 108 Loan) in the amount of \$80,000.00 and appropriate funds in the same amount to Expenditure Account No. 035-G06-0620-5468 (World Changers 2006 Funds); and further authorize the City Manager to execute a CDBG Subgrant Agreement with Blue Ridge Housing Development Corporation, Inc., to be approved as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37296-020606) AN ORDINANCE to appropriate Community Development Block Grant funding for the World Changers Program, amending and reordaining certain sections of the 2005-2006 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.
(For full text of ordinance, see Ordinance Book No. 70, page 140.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37296-020606. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff was absent.)

Council Member Dowe offered the following resolution:

(#37297-020606) A RESOLUTION authorizing the appropriate City officials to execute an amendment to the Consolidated Plan for FY 2005-2010, providing for the addition of the 2006 World Changers project and the revision of the Belmont Community Healthcare Center project, and to execute and submit necessary documents to the U. S. Department of Housing and Urban Development ("HUD"), including a subgrant agreement, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 70, page 141.)

Council Member Dowe moved the adoption of Resolution No. 37297-020606. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff was absent.)

CITY EMPLOYEES-COMMUNITY PLANNING-ECONOMIC DEVELOPMENT: The City Manager submitted a communication advising that on May 10, 2005, Council adopted an ordinance establishing a pay plan for officers and employees of the City, as well as providing for annual salary increments for certain job classifications which require the use of privately owned motor vehicles used in the course of conducting City business.

It was further advised that in September 2005, the Department of Planning Building and Development was reorganized to include the Department of Economic Development; a job classification of Director of Planning Building and Economic Development was also created and filled; in December 2005, a Special Projects Coordinator position in the Department of Planning Building and Economic Development was advertised and the position was filled in January 2006; because of the nature of the position, the employee will be traveling and using a personal vehicle on a daily basis; and neither abovereferenced job classification was included in the ordinance adopted by Council on Tuesday, May 10, 2005, to provide for the salary increments.

The City Manager recommended that Council adopt an ordinance amending Ordinance No. 37047-051005 to include an annual salary increment for personal vehicle use of \$2,000.00, each, for the Director of Planning Building and Economic Development and the Special Projects Coordinator (Position No. 2181 only).

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37298-020606) AN ORDINANCE amending Ordinance No. 37047-051005, which adopted and established a Pay Plan for officers and employees of the City, effective July 1, 2005; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, page 142.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37298-020606. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff was absent.)

BUDGET-EMERGENCY SERVICES: The City Manager submitted a communication advising that the Commonwealth of Virginia mandates that localities take responsibility for answering wireless E-911 calls, rather than having the calls routed and answered by the State Police; the Virginia State Wireless E-911 Service Board provides funding to localities for equipment and limited salaries to provide the service; the State currently collects \$.75 per month for each wireless telephone user to fund localities for expenses associated with the services; on December 1, 2005, the Virginia State Wireless E-911 Services Board awarded the City of Roanoke an additional \$144,808.00 for fiscal year 2005-2006, with no requirement for matching funds; and the additional funds will be used to upgrade system hardware and software.

The City Manager recommended that Council adopt a budget ordinance accepting the increase in the revenue estimate for E-911 Wireless, in the amount of \$144,808.00 and appropriate funds in the same amount to Account No. 013-430-9870, E-911 Hardware/Software Upgrades.

Council Member Dowe offered the following budget ordinance:

(#37299-020606) AN ORDINANCE to appropriate funding from the Commonwealth for E-911 Wireless Service, amending and reordaining certain sections of the 2005-2006 General and Department of Technology Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, page 143.)

Council Member Dowe moved the adoption of Ordinance No. 37299-020606. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff was absent.)

POLICE DEPARTMENT: The City Manager submitted a communication advising that Verizon HopeLine is a nationwide program designed to support domestic violence victims; and donated cellular phones are recycled and provided to domestic violence victims, while other proceeds of the program provide grants and training to support recognized domestic violence prevention programs.

It was further advised that recognizing the needs of domestic violence victims, the Roanoke Police Department wishes to participate with the Verizon Hopeline Program through the Virginia Attorney General's Office by serving as a collection point for phones donated by citizens and by donating phones which have come into police possession that are not returnable to their owners and are not evidence in any legal proceeding; and the Police Department will then forward the phones to the Virginia Attorney General's Office located on Peters Creek Road to be given to the Verizon Hopeline Program.

It was explained that Section 2-263, Code of the City of Roanoke (1979), as amended, requires approval by Council for acceptance of any gift exceeding \$5,000.00 in value; and although the actual value of most of the phones donated to the program is minimal, at some point it is anticipated that the cumulative value of phones donated to the Police Department will exceed the \$5,000.00 level.

The City Manager recommended that she be authorized to receive donated cellular phones for the Verizon HopeLine Program through the Police Department; and that she be further authorized to dispose of cellular phones in the custody of the Police Department that are unclaimed and not subject to any claims or legal holds to be delivered to the Office of the Attorney General of the Commonwealth of Virginia for subsequent donation to the Verizon HopeLine Program or to a comparable charitable program.

Council Member Cutler offered the following resolution:

(#37300-020606) A RESOLUTION authorizing the City Manager to receive, on behalf of the City of Roanoke and the Roanoke City Police Department, out-of-service cellular phones, and unclaimed cellular phones in the possession of the Police Department that are not evidence and are in no way subject to any claims or legal holds, such phones to be delivered to the Office of the Attorney General of the Commonwealth of Virginia for the Verizon HopeLine Program (HopeLine).

(For full text of resolution, see Resolution Book No. 70, page 144.)

Council Member Cutler moved the adoption of Resolution No. 37300-020606. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff was absent.)

BUDGET-HOUSING/AUTHORITY-FLEET MANAGEMENT FUND: The City Manager submitted a communication advising that the City of Roanoke Circuit Court in the case of Walter S. Claytor, et. al. v. Roanoke Redevelopment and Housing Authority (RRHA), ruled in favor of the plaintiffs; following the ruling, judgment in the amount of \$503,338.50, plus per diem interest was granted to the plaintiffs, and the Board of Commissioners of the RRHA has recommended that an appeal not be filed; the Board of Commissioners has submitted a resolution to the City requesting that the necessary funds be provided for fulfillment of the obligations of the judgment; and total funding, in the amount of \$504,127.00, which includes per diem interest, needs to be appropriated to fulfill obligations of the judgment.

The City Manager recommended that \$300,000.00 be transferred from Roanoke Neighborhood Development Corporation Crew Suites, Account No. 008-002-9651-9003, and \$204,127.00 be transferred from Undesignated Fund Balance, Account No. 001-3323, to Risk Management Miscellaneous Claims, Account No. 019-340-1262-2173; and that \$168,611.00 be transferred from Undesignated Fund Balance, Account No. 001-3323, to Motor Fuels Contingency, Account No. 001-300-9410-3012.

Council Member Dowe offered the following ordinance:

(#37301-020606) AN ORDINANCE to appropriate funding from the Capital Projects Fund and General Fund Undesignated Fund Balance for the Claytor Settlement and Motor Fuel Contingency, reordaining certain sections of the 2005-2006 General, Capital Projects and Risk Management Funds, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, page 145.)

Council Member Dowe moved the adoption of Ordinance No. 37301-020606. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff was absent.)

CITY ATTORNEY:

REGIONAL COOPERATION-WATER RESOURCES: The City Attorney submitted a written report advising that the State has adopted regulations requiring all local governments to submit water supply plans to the State; for localities participating in regional water supply plans, the deadline for notifying the State is November 2008; and Council Member Cutler requested that a resolution be prepared expressing the intent of Council to participate in development of a regional water supply plan along with the Counties of Bedford, Botetourt, Franklin and Roanoke, the Cities of Roanoke and Salem, and the Towns of Boones Mill, Rocky Mount and Vinton.

Council Member Cutler offered the following resolution:

(#37302-020606) A RESOLUTION expressing City Council's intent that the City participate in a regional effort to develop a regional water supply plan in accordance with Virginia's local and regional water supply planning regulations.

(For full text of resolution, see Resolution Book No. 70, page 147.)

Council Member Cutler moved the adoption of Resolution No. 37302-020606. The motion was seconded by Council Member McDaniel.

Council Member Cutler advised that the City of Roanoke is required by State law to apprise the Virginia Department of Environmental Quality as to how the City plans to meet the new requirement for a long-range water supply plan; i.e.: either a City only plan or a regional plan; and neighboring jurisdictions in the Upper Roanoke River Watershed and around Smith Mountain Lake have expressed an interest in participating in a regional plan. He stated that the Western Virginia Water Authority and the Roanoke Valley-Alleghany Regional Commission stand ready to be of assistance; much of the work has already been completed with the 50 year water supply option study prepared by Black and Veatch Consultants approximately two years ago; some specifics such as a timetable for construction associated with development in a more robust interconnected regional water supply system will need to be added; and an interconnected water system should have the compatibility to address potential terrorists attacks and natural disasters. He spoke in support of adoption of the resolution.

Vice-Mayor Fitzpatrick advised that Montgomery County has a water line located less than one mile from Spring Hollow, and suggested that Montgomery County be invited to participate; whereupon, Council Member Cutler advised that the invitation has been extended and declined.

Resolution No. 37302-020606 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff was absent.)

DIRECTOR OF FINANCE:

AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the month of December 2005.

(For full text, see Financial Report on file in the City Clerk's Office.)

The Director of Finance advised that the City's overall revenues are up just over nine per cent, which is about a four per cent positive variance over budget anticipation; the City received approximately \$2.5 million from the State for highway maintenance allocation earlier in 2006 than the allocation was received last year, general property taxes are ahead of budget, sales taxes are trending along at about three per cent, the meals tax is at about four per cent, and transient room taxes are up a little over ten per cent compared to last year, which is indicative of the fact that more people are staying over night in the City of Roanoke. He added that the City recently received bids on the sale of about \$35 million of general obligation bonds; and financing was completed on

Patrick Henry High School, expansion of the Civic Center, and the last phase of financing on the Riverside Centre for Research and Technology. He called attention to active bidding on the sale of bonds and the City received an excellent interest rate of 4.1 per cent on the majority of the 20 year bonds, which leaves the City with approximately \$236 million in total tax supported debt outstanding; and the City has a certain other lesser amount of debt that have their own funding streams, such as user fees or reimbursement by the State, etc. As a part of the bond issuance process, he explained that the bond rating agencies assigned a credit rating to the City of Roanoke which has been confirmed as a double A bond rating; the City's debt level is termed as moderate; and the City has been commended for its annual strategic planning process and adoption of a Five Year Capital Improvement Program. On the contrary, he pointed out that bond rating agencies note that wealth levels as measured in household income in Roanoke are somewhat below the State and national averages which is an issue that is targeted for the Council's strategic planning process. He stated that for the past five years, the City has been able to finance a number of significant capital projects, and also refinance essentially all of the outstanding debt at interest rates varying from approximately 4 to 4 ½ per cent for 20 year debt.

There being no questions or comments and without objection by Council, the Mayor advised that the Financial Report for the month of December would be received and filed.

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

STATE HIGHWAYS: Council Member Cutler expressed appreciation to the Virginia Department of Transportation (VDOT) for planting a total of 229 trees, including oaks and maples, redbuds and others, and 50 shrubs along the I-581/220 Expressway corridor (located at the Route 419/Tanglewood interchange, Wonju Street, Franklin Road, Peters Creek Road, and various locations along I-581). He added that VDOT also planted 25,000 day lilies and 25,000 daffodils at the Elm Avenue, Wonju Street, Franklin Road and Orange Avenue interchanges.

SPORTS ACTIVITIES-SCHOOLS: Council Member Dowe congratulated the Roanoke Chapter of the Southern Christian Leadership Conference and the Roanoke Chapter of the NAACP on the success of their annual banquets. He advised that he attended an activity at William Fleming High School in which the No. 1 football jersey worn by John St. Clair, who currently plays professional football for the Chicago Bears, was retired.

PUBLIC WORKS: Vice-Mayor Fitzpatrick commended Robert K. Bengtson, Director, Public Works, and Kenneth H. King, Manager, Division of Transportation, and their staff for collecting the last cycle of leaves in the City of Roanoke.

FIRE DEPARTMENT: Vice-Mayor Fitzpatrick advised on January 28, 2006, the "To The Rescue" exhibit was displaced from Tanglewood Mall. He stated that Roanoke is known all over the world for its railroad heritage and for the first volunteer rescue squad in the United States. Therefore, he inquired if the "To The Rescue" exhibit could be temporarily housed at the City's Number One Firehouse.

The City Manager advised that she previously met with representatives of the "To The Rescue Museum", at which time the City's assistance was requested. She stated that City staff will identify potential sites and while every effort will be made to locate another site, a smaller space than that which was previously occupied at Tanglewood Mall may be offered.

POLICE DEPARTMENT: Council Member Lea advised of the appointment of the City's Domestic Violence Task Force. He noted that the first meeting will be held on February 17, 2006, at 10:30 a.m., in the Police Department Community Room, 348 Campbell Avenue, S. W., and expressed appreciation to Assistant City Manager for Community Development, Rolanda Russell, for her assistance in establishing the task force.

LIBRARIES: Council Member McDaniel called attention to a series of workshops that will be held at the Roanoke Public Library with regard to navigating the Internet.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

COMPLAINTS: Mr. Robert Craig, 701 12th Street, S. W., advised that four of the present Members of Council have been in office for four or more years which is too long to be able to blame their predecessors for past mistakes. He stated that the Director of Real Estate Valuation has been placed under the direct supervision of the Director of Finance which may be a conflict of interest. He advised that after listening to the Victory Stadium fiasco for the past six

years, he has reached the conclusion that Victory Stadium is nothing more than a red herring used to divert attention from other important issues, such as a failing school system which is under the direction of a School Board that is appointed by and responsible to City Council and has never been held accountable for its actions. He stated that those persons who have served on the Council for four or more years are more of a problem than a solution, specifically to the school system; whereupon, he called for their resignations and suggested that they seek reelection in the next Councilmanic election to validate their leadership.

COMPLAINTS-ARMORY/STADIUM: Mr. John E. Kepley, 2909 Morrison Avenue, S. E., called attention to an article that was recently published in *The Roanoke Tribune* that raises certain questions and provides certain answers, i.e.: Question: Who is controlling City Council and how they vote on the issue of Victory Stadium? Does Carilion Healthcare Systems want the land on which Victory Stadium now stands; if they want the land, how have they planned to obtain it? Have they influenced members of City Council? Have members of City Council been bought out and are they not in Carilion's pocket? He stated that these are all questions that should be answered, but what are the facts? He advised that the newspaper article contends that an inspection of campaign contributions at the Registrar's Office revealed that several Carilion officers made substantial contributions to the campaigns of several City Council Members; two members of the City Planning Commission are directly tied to Carilion and others; and one member of the City Planning Commission is currently serving as architect for the Patrick Henry High School improvements/stadium. He stated that he has been told that at the public hearing to be held this evening on the Patrick Henry High School stadium rezoning, the City Planning Commission will vote to rezone the land at Patrick Henry High School for a stadium and a member of City Council will offer a motion to call for the immediate demolition of Victory Stadium. He added that if the motion passes and the demolition of Victory Stadium occurs before the May Councilmanic election, three events will follow this violation of the rights of citizens: (1) the independent ticket of Dowe, Mason and Trinkle will be soundly defeated; (2) when the new City Council is sworn into office, they will immediately call for the resignation of the City Manager, and (3) he would personally lead a crusade for the Mayor's impeachment.

POLICE DEPARTMENT-FIRE DEPARTMENT: Ms. Zoe Stennett, 3531 Peters Creek Road, N. W., advised that she has addressed Council on numerous occasions with regard to increased wages for Roanoke's public safety employees. She expressed concern with regard to a recent newspaper article in *The Roanoke Times* which stated that the City of Roanoke ranks second in the Commonwealth of Virginia for incidents involving violent crime; therefore, the City should allocate more funds to support public safety employees.

ARMORY/STADIUM: Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, advised that Victory Stadium is not only a memorial to World War II veterans, but a historic site ranking number two behind The Hotel Roanoke. He advised that when Victory Stadium was no longer maintained by the City's Department of Parks and Recreation, it fell into a state of disrepair; however, if the City were to appropriate sufficient funds, the stadium could be renovated at less cost than constructing a new stadium and could be enjoyed by all citizens of the City of Roanoke.

COMPLAINTS-ARMORY/STADIUM-ROANOKE CIVIC CENTER-SCHOOLS: Mr. Chris Craft, 1501 East Gate Avenue, N. E., advised that Council acted illegally in the appointment of an attorney to the Roanoke City School Board. He called attention to inadequate parking at the Roanoke Civic Center on the night of Wednesday, February 1, 2006, when two simultaneous events were held; directions to the City's parking garages were not clear, out of town visitors parked their vehicles on the Post Office Parking lot, and vehicles were towed, costing the owners \$300.00 - 400.00 to retrieve their cars, therefore, it is unlikely that those same visitors will return to Roanoke. He added that the City needs to move away from the Victory Stadium issue and concentrate on other pressing needs of the City; if the City constructs a new parking garage with municipal bonds, the facility should be constructed in the vicinity of the Roanoke Civic Center which would eliminate the need for shuttle buses.

COMPLAINTS-ARMORY/STADIUM: Mr. Robert E. Gravely, 727 29th Street, N. W., called attention to the need for more attractions in the downtown area to generate tax revenue, the need to improve the appearance of older buildings in downtown Roanoke, and the need for improvements to the City's infrastructure. He expressed concern with regard to the City's high crime rate, wages that are not sufficient to retain and to attract young people to the Roanoke Valley, a tax base that prevents the average person from purchasing a home, City leaders who should be replaced because citizens have lost trust in them, and renovation of Victory Stadium. He stated that Roanoke's leaders are too conservative and too slow to make changes for the betterment of the community and its people.

CITY MANAGER COMMENTS: NONE.

OATHS OF OFFICE-FIRE DEPARTMENT-COMMITTEES: The Mayor advised that there is vacancy on the Board of Fire Appeals created by the resignation of Bobby Lavender, for a term ending June 30, 2008; whereupon, he opened the floor for nominations to fill the vacancy.

Vice-Mayor Fitzpatrick placed in nomination the name of Richard B. Sarver.

There being no further nominations, Mr. Sarver was appointed as a member of the Board of Fire Appeals, to fill the unexpired term of Bobby Lavender, ending June 30, 2008, by the following vote:

FOR MR. SARVER: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----6.

(Council Member Wishneff was absent.)

OATHS OF OFFICE-HOUSING/AUTHORITY-COMMITTEES: The Mayor advised that the three year term of office of Sherman V. Burroughs, IV, as a member of the Fair Housing Board will expire on March 31, 2006; whereupon, he opened the floor for nominations to fill the vacancy.

Vice-Mayor Fitzpatrick placed in nomination the name of Sherman V. Burroughs, IV.

There being no further nominations, Mr. Burroughs was reappointed a member of the Fair Housing Board for a term ending March 31, 2009, by the following vote:

FOR MR. BURROUGHS: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----6.

(Council Member Wishneff was absent.)

At 4:15 p.m., the Mayor declared the Council meeting in recess to be reconvened at 7:00 p.m., in the City Council Chamber for a joint meeting of Council and the City Planning Commission.

At 7:00 p.m., on Monday, February 6, 2006, the Council meeting reconvened in joint session with the City Planning Commission; in the City Council Chamber, Room 450, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor C. Nelson Harris presiding.

The purpose of the meeting was to conduct a public hearing by the Council and the City Planning Commission to consider the Second Amended Petition to Amend Proffered Condition, filed by the City of Roanoke on December 23, 2005, for property located at 2102 Grandin Road, S. W., Official Tax No. 1460101, said amendment of proffers dealing with the construction and operation of a school sports stadium, practice fields and tennis courts at Patrick Henry High School.

PRESENT: Council Members M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff and Mayor C. Nelson Harris-----7.

ABSENT: None-----0.

The Mayor declared the existence of a quorum.

CITY PLANNING COMMISSION MEMBERS PRESENT: Gilbert E. Butler, Jr., D. Kent Chrisman, Robert B. Manetta, Paula L. Prince, Richard A. Rife, Henry Scholz (arrived late) and Frederick M. Williams-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

OTHERS PRESENT: R. Brian Townsend, Agent, City Planning Commission; and Martha P. Franklin, Secretary, City Planning Commission.

Richard Rife, Chair, City Planning Commission, read the following statement:

"I, Richard Rife, of Rife and Wood Architects, located at 1326 Grandin Road, S. W., Roanoke, Virginia, state that I have a personal interest in the rezoning matter involving Official Tax No. 1460101, the lot on which Patrick Henry High School is located. Therefore, pursuant to Virginia Code Section 2.2-3112(A)(1), I must refrain from participation in this matter. I ask that the Secretary for the Planning Commission accept this statement and ask that it be made a part of the minutes of this meeting for the Planning Commission and be retained for five years, as required by Section 2.2-3115 of the Code of Virginia of 1950, as amended."

Mr. Rife then seated himself in the audience for the remainder of the public hearing.

The invocation was delivered by Vice-Mayor Fitzpatrick.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PUBLIC HEARING:

ZONING: Pursuant to instructions by the Council and the City Planning Commission, the City Clerk and Secretary to the City Planning Commission having advertised a joint public hearing for Monday, February 6, 2006, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to delete a proffered condition and to have certain revised and new proffered conditions apply to certain property located at 2102 Grandin Road, S. W., Official Tax No. 1460101, Patrick Henry High School, for the purpose of development of a high school sports stadium, tennis courts, and practice fields, the matter was before the two bodies.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, January 23, 2006, and Monday, January 30, 2006.

The Mayor reviewed the following process for conducting the public hearing: 37 individuals previously signed up to speak, and each person would be allotted up to three minutes, with no extension of time; the petitioner would be called upon to make a presentation, followed by citizen comment; and at the conclusion of citizen comments, the City Planning Commission would conduct a public hearing, entertain comments and vote on the matter, to be followed by the Council's public hearing comments and vote.

R. Brian Townsend, Agent, City Planning Commission, stated that Bernard Godek, Associate Superintendent for Management, Roanoke City Public Schools, and Richard Rife, representing Rife and Wood Architects, would present a summary of the proposed project, followed by the recommendation of City Planning staff, which would be followed by public comments.

Inasmuch as Mr. Rife, Chair, City Planning Commission, had excused himself from presiding over the meeting and the Vice-Chair was not present, Mr. Manetta inquired if the City Planning Commission could continue to conduct business.

The City Attorney advised that according to by-laws of the City Planning Commission, in the absence of the Chair and the Vice-Chair, the Planning Commission could elect a temporary chair, and upon arrival, the Vice-Chair would automatically preside over the remainder of the meeting.

In the absence of the Chair and Vice-Chair, Mayor Harris called for nominations by the City Planning Commission of a Temporary Chair; whereupon, Mr. Chrisman placed in nomination the name of Robert B. Manetta.

There being no further nominations, Mr. Manetta was elected as Temporary Chair of the City Planning Commission by the following vote:

FOR MR. MANETTA: Commissioners Butler, Chrisman, Prince, Williams
and Manetta-----5.

(Commissioner Scholz was absent.)

The following is a summary of Mr. Godek's presentation:

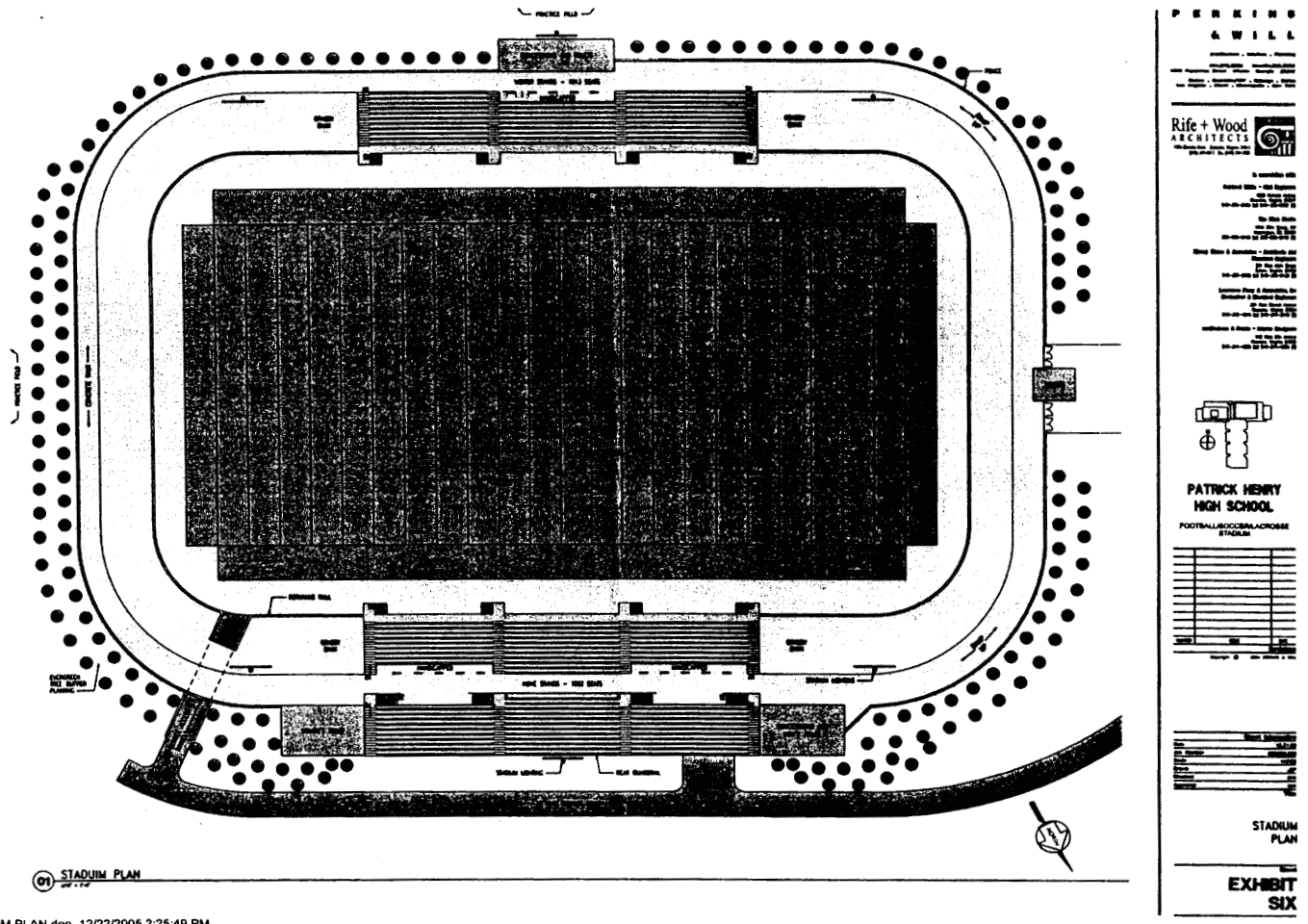
- Roanoke City Public Schools reaffirms its desire to develop a multi-purpose athletic facility at Patrick Henry High School.
- Since the School Administration is charged with the responsibility of doing what is in the best interests of Roanoke's students, it is requested that Council approve the petition to amend the zoning of property located at 2102 Grandin Road, S. W.
- On October 27, 2005, the Superintendent's Athletics Committee presented an interim report to the School Board as a part of a workshop session which recommended that a 3,000 seat multi-use stadium and new track facilities be constructed at both Patrick Henry and William Fleming High Schools.
- In addition to the interim report, the Committee provided the School Board with a detailed cost estimate for construction of the two proposed stadiums.
- The cost of each stadium, including track facilities, is \$4.1 million.
- Subsequent to the filing of the Petition to Amend the Proffers, and at the direction of the Superintendent of Schools, four community engagement meetings were held by the school system at Patrick Henry High School on November 17, November 22, December 1 and December 8, 2005, which were hosted by a third-party facilitator.
- The purpose of the meetings was to solicit community input and to disseminate information regarding the proposed siting and construction of a stadium at Patrick Henry High School.
- Information was provided to community members in the form of a resource panel which included representation from the school administration, staff from the Department of Planning, Building and Development, the City of Roanoke Police Department, Rife and Wood Architects and civic organizations.

- Handouts were also provided depicting the proposed siting, graphic renderings, lighting equipment information, and information pertaining to artificial turf surfaces.
- Community members were given the opportunity to communicate concerns during question and answer sessions, a telephone hot-line was established, question response cards were used, and an internet survey was available.
- Concerns were synthesized into key issues that the school administration worked diligently to address.
- Community concerns were categorized as follows: traffic, parking, pedestrian control, noise, lighting, litter and security.
- Formal written responses were provided to community members upon request.
- The school administration listened well and took the various concerns and recommendations seriously, and as a direct result of input that was received from the community, the school administration and the School Board provided substantial proffers that were incorporated into a Second Amended Petition to Amend Proffered Condition.
- The substantial proffers are a sign of the school system's commitment to both students and to community members who may be impacted in some way by including a multi-use sports facility as part of the new Patrick Henry High School.
- It is the goal of the school administration and the School Board to provide students with a complete and quality educational experience and Roanoke's students should expect nothing less from their leaders.
- Building complete schools that contain all of the educational and supplementary facilities needed by students are key elements to providing a quality educational experience.

Mr. Godek advised that the School Administration respectfully requests that the City Planning Commission and City Council approve the Second Amended Petition to Amend Proffered Condition with regard to property located at 2102 Grandin Road, S. W., to allow for development of a proposed multi-use athletic facility.

Vice-Chair Scholz entered the meeting at 7:17 p.m. and took the Chair.

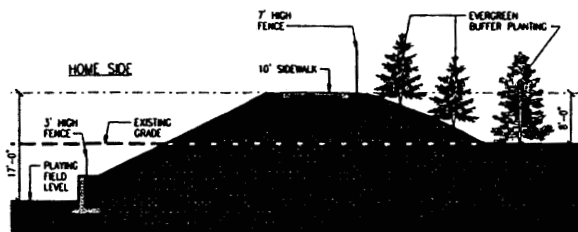
- Primary entrance and artificial turf field will support football, Virginia High School League Championship soccer dimensions, lacrosse, a visitor side containing approximately 1,000 seats and a home side of about 2,000 seats.



A-STADIUM PLAN.dwg 12/22/2005 2:25:49 PM

- The stadium is unique in that it is contained in a sunken bowl, with the entrance at the ticketing point.
- Visiting fans would ascend up the sidewalk ramp, which is handicap accessible with a five per cent grade, and the concourse level would step down into concrete bleachers built into an earthen berm, with separate concession and toilet facilities for visiting fans.
- Home fans would go to the other side, ascend up a similar sidewalk ramp, which is handicap accessible with a five per cent grade, from the concourse level, fans could step down for 1,000 seats, or go up for a second 1,000 seats, with total seating of 2,000 seats; and included are male and female restroom facilities, concession area, six field lighting supports, sidewalk, and an earthen berm wraps around the field.

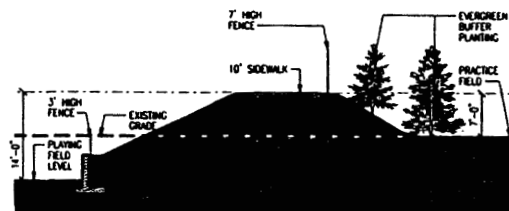
- A small service road leads to a service/storage building under the elevated portion of the home stands, and continues around to a small tunnel that allows vehicle access to the field at grade level.



SECTION THROUGH STADIUM
AT 10-YARD LINE

01

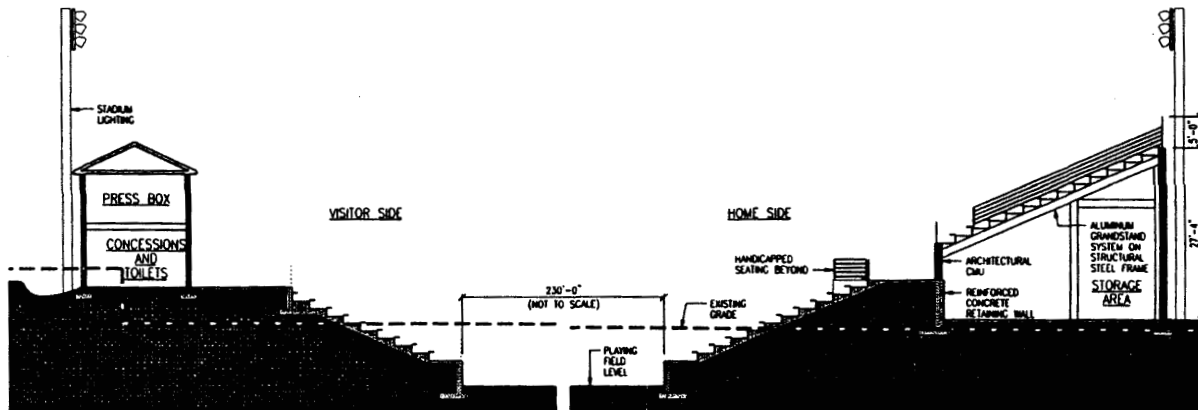
3/16" = 1'-0"



SECTION THROUGH STADIUM
AT EAST END ZONE

02

3/16" = 1'-0"



SECTION THROUGH STADIUM AT 50-YARD LINE

03

3/16" = 1'-0"

PERKINS
& WILL

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ARCHITECTS

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Fax: 312.329.1201
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PATRICK HENRY
HIGH SCHOOL

FOOTBALL/SOCCER/LACROSSE
STADIUM

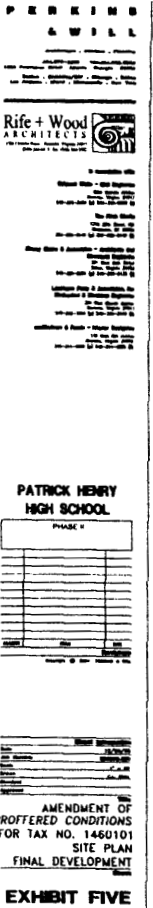
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STADIUM
SECTIONS

EXHIBIT
SEVEN

- The field is dug down in an effort to reduce height, bulk and impact on the surrounding neighborhood.
- The dotted line represents the existing grade, field level was sunk by an average of seven feet, and the earth that was excavated out was bermed up into a bowl around the building so that on the visitors side, from the concourse level, visiting fans would step down into seating areas, with a concession area, a press box above, and with broadcast areas and coaching positions; and on the home side, from the concourse level, half of the seats are down, half are elevated up, with storage room underneath accessible by a grade level.



- An aerial view of the entire campus shows the main entrance into the campus, Raleigh Court Branch Library, the Governor's School, Raleigh Court Elementary School, the existing track which will remain and be converted to a metric configuration with a rubberized topping, and the existing baseball field will remain.
- Part of the project will include the three existing tennis courts and three additional non-lighted tennis courts will be added to provide for a total of six tennis courts, which is the proper number for tennis competition on campus, and in keeping with the desire of the school system to play as many competitions on campus as possible.
- With regard to the new building portion that will soon be under construction, parking will feed into a central ticketing point, visiting side, home side, an additional practice field set up for soccer, football and lacrosse; and a softball field will remain in its current location, and will be expanded to reach regulation dimensions.

Mr. Rife reviewed a fly-over tour of 3-D images of the stadium and the campus and how the stadium would fit on the campus:

- At night, stadium lights would be contained within the stadium bowl; photometric data prepared by engineers representing a light manufacturer substantiates that lighting on school property can be contained; at residential property lines, there will be no more than one-half foot candle of light produced by stadium lighting at the property line, which is one of the proffered conditions and will be submitted to the Board of Zoning Appeals if the request for Amendment of Proffered Condition is approved by Council.
- The existing practice field contains a large amount of stored soil that will be used as controlled fill material for Phase II.
- Trees that will be planted are a combination of pine and redbuds, and will be added as part of Phase II regardless of the decision pertaining to zoning; and additional landscaping surrounding the stadium is contingent upon the stadium being constructed.

Mr. Rife advised that 12 proffers have been submitted as part of the proposal to strictly limit utilization of the stadium, three of which pertain to traffic control, the tenth proffer states that manual traffic control will be provided before and after all home varsity football games and graduation ceremonies at the intersections of Brandon Avenue and Grandin Road, Grandin Road and Laburnum Avenue, Grandin Road and Avenel Avenue, and Guilford Avenue and Lofton Road in coordination with the City of Roanoke Police Department; and all three traffic related proffers were the direct result of meetings with residents of the area and at their request. He added that the 11th proffer states that the intersection of Lofton Road. Finally, he stated that the

12th proffer states that the service entrance to the school from Blenheim Road will be locked and secured to prevent any parking or access, excluding emergency vehicles and team buses, before, during and after every home varsity football game.

Mr. Townsend presented the following overview of staff's recommendation:

- The site is currently zoned Institutional Planned Unit Development ("INPUD"), the petitioner seeks to amend the previously approved proffers on the development INPUD plan, and requests amendment of the 3,000 seat sports stadium, one additional practice field and three additional tennis courts.
- The City is the owner of the property and the City's petition was initiated by Council on November 7, 2005 and filed with the City Planning Commission on November 9, 2005; the First Amended Petition was filed with the City Planning Commission on December 9, 2005; on December 19, 2005, the School Board endorsed proffers as contained in the First Amended Petition; the Second Amended Petition, which is presently before the Council, was filed on December 23, 2005, containing certain minor amendments requested by the City Planning Commission at its meeting which was held on December 21, 2005; and such amendments at that time were agreeable to School administration representatives who were in attendance at the City Planning Commission meeting.
- The proposed stadium, practice field and tennis courts are permitted uses in the INPUD District as accessory uses to the existing school.
- The lighting of the stadium and any other outdoor lighted athletic field would require a special exception from the Board of Zoning Appeals.
- The subject property borders approximately 99 parcels of land, the vast majority of which are single-family dwellings; however, the site is surrounded by a number of zoning categories, including the R-7, Single-family Residential District, IN, Institutional District, which includes a number of churches on the west side of Grandin Road, R-5, Residential Single-Family District, and MX, Mixed Use District, which includes the Shenandoah Life Insurance Company complex, ROS, Recreation Open Space District, RM-2, Residential Multi-family District, RMF, Residential Multi-family District, and CN, Neighborhood Commercial District, which includes the BP Convenience Store and the All Sports Café at the intersection of Guilford Avenue and Grandin Road.

Mr. Townsend stated that:

- Exhibit Four of the Second Amended Petition contains information relating to proposed district boundaries and location of all public rights-of-way, drive way and loading areas, as well as information on the location and use of all proposed structures and those existing structures proposed to remain on the site; the location and extent of all remaining and proposed off-street parking spaces are illustrated, in addition to pedestrian routes and the use of open spaces, areas of the site to be maintained in a natural wooded condition which include primarily Shrine Hill; and on site lighting details and proposed lumen levels are depicted and quantified on Exhibit Four to ensure that there is no glare beyond district boundaries.
- Exhibit Five details the provision of public water and sewer and storm water infrastructure on the redeveloped site.
- Exhibit Six illustrates the proposed stadium plan and details the layout of the playing field, seating, concession, toilets and lighting.
- Exhibit Seven contains proposed stadium section and structural elevation, all of which are conditions that would be maintained with the petition, if approved.
- The School Administration held four community engagement meetings on the campus of Patrick Henry High School to solicit input from the community on design of the school sport stadium; during the meetings, participants expressed particular concern with regard to traffic, parking, lighting and noise, and City staff examined each concern in detail.
- With regard to traffic generated from a large stadium event, which is different from school day traffic, much of the load occurs over a one to two hour period prior to the event, and load out occurs typically over a much shorter time period during off-peak traffic hours; to address loading issues, the petitioner has proffered to utilize the City of Roanoke Police Department to direct traffic ingress and egress from the high school property, and also proffered that certain access points would be closed during operation of the stadium for high school varsity football.
- Upon completion of Phase II of high school construction, over 650 parking spaces will be available on the entire campus, with the addition of temporary event parking on Shrine Field to supplement permanent on-site parking; City staff does not recommend additional permanent parking spaces on the site due to policies of Vision 2001-2020, the City's Comprehensive Plan, that discourage excessive surface parking lots and impervious surfaces.

- The Petitioner proffers that Patrick Henry High School stadium lighting would only be used for varsity football games and in the event of darkness in order to complete other sporting events that began during daylight hours; the Petitioner also proffers that stadium lighting would not be used for practices, only for game play; lighting is not proposed for practice fields or for proposed tennis courts; and Exhibit Four contains lumen levels that are proposed for the stadium and at the property line, as well as the design and model that would be used.
- Section 36.2-403(f) of the current Zoning Ordinance requires that sport stadium lighting standards shall be established by special exception granted by the Board of Zoning Appeals; and Chapter 21 of the City Code, Section 21-43.1, provides that the operation of any lighted athletic facility that is contiguous to residentially zoned parcels is prohibited after 10:00 p.m., and the rule would apply to the Patrick Henry High School location.
- The Petitioner has proffered that the stadium public address system will be used only for varsity football games, daytime varsity games and future graduation assemblies, and the stadium has been oriented so that home seating faces Shrine Hill, thereby directing the loudest crowd noise away from residential areas.
- The City Planning Commission held a public meeting on December 21, 2005, and requested that several of the proffers be clarified, which clarifications are included in the Second Amended Petition; during the meeting, the Planning Commission also heard comments from 23 citizens and those comments are annotated in the staff report.

In summary, Mr. Townsend advised that given the comprehensive nature of the proffered conditions, both as they relate to design and operation of the facility and the overall relationship of the site to adjacent properties, staff supports the Second Amended Petition to Amend Proffered Condition, and the City Planning Commission should recommend approval of the petition to City Council.

(For full text, see staff report on file in the City Clerk's Office.)

The Mayor advised that 37 persons had signed up to speak; whereupon, the following persons addressed the Council and the City Planning Commission:

Mr. Kurt Navratil, 1877 Arlington Road, S. W., spoke in support of construction of a football facility at Patrick Henry High School and urged Council, as responsible elected officials, to vote in favor of the Second Amended Petition. He stated that it is a good solution, supported by students, the PTSA, the Boosters Club, the City administration, and most of the surrounding neighborhood either wants the stadium, or could care less one way or the other. He added that it is a responsible and prudent decision for the future of high school athletics in the City of Roanoke and the least that he, as a neighbor who lives eight houses from the Patrick Henry High School campus, can do is support the stadium and help to make it successful. After stadia on both of the high school campuses are built, he advised that the reality is that two or three Friday nights may introduce some parking issues for the surrounding neighborhoods; playing football games in the neighborhood offers an opportunity for numerous persons to walk to the games, thereby reducing demands on parking; some traffic congestion will occur on two or three Fridays and Saturdays out of the year; there will be crowds, noise and lights on two to three Fridays and Saturdays out of 52, but the noise will be joyful and fun, lasting no more than about three hours. He advised that a complete school campus will increase the likelihood that some students will elect to stay in school for a number of reasons. He applauded the PTSA, the Boosters Club, students, the school community, and parents and neighbors who have encouraged Council and the City Planning Commission to listen to the groundswell of support for the stadium at Patrick Henry High School.

Mr. Nick Brash, 2259 Westover Avenue, S. W., spoke in favor of construction of high school stadia. He stated that 30 years ago, he grew up in a community in West Virginia that had a stadium adjacent to the high school, which is a good indication of how far below par school facilities are in the City of Roanoke. He added that he did not understand the repugnant attitude of some persons who oppose high school stadia; having lived adjacent to his high school stadium for ten years, it generated a sense of community, did not lower property values, and provided a great benefit to students; therefore, all citizens should consider the ramifications for Roanoke's children if the City continues to follow its present direction. He stated that if he were a war veteran, he would want a facility to be constructed that would be used by a majority of the City's population that would develop a sense of community, and not a "white elephant" that is located in a floodplain and is rarely used, and he would want a facility that is cost effective and would benefit a majority of the community such as an amphitheater or a similar facility. He stated that funds that pay for renovation of both Victory Stadium and high school stadiums are derived from the same basic source, however, amenities for Roanoke's children should not be delayed until the Victory Stadium issue is resolved. He advised that Council's vote should be reflective of a concern for the future of Roanoke's children, and not promises that were made during an election year.

Ms. Carol Brash, 2259 Westover Avenue, S. W., spoke as a mother of current and past students of the Roanoke City Public School System, as an advocate for children of Roanoke City Public Schools, as a PTA Board member at the District Council and individual school levels, and as a resident of the Greater Raleigh Court neighborhood. She stated that the best stadium solution for the City of Roanoke is to construct stadiums at each high school for reasons of student safety, reduction of travel time and costs, opportunities for Boosters Clubs to raise funds for athletics and band activities, build school spirit, strengthen school communities, and make the school system more attractive to potential businesses that might consider locating in the Roanoke area. She further stated that while she understood some of the concerns expressed by residents of the area, those same concerns have been satisfactorily addressed by the stadium design and proffers to the rezoning; and other reasons expressed by some persons who are opposed to the two stadium concept cause concern. She added that it is the goal of Roanoke City Public Schools to provide a public education for every child in Roanoke City; it is the motto of the PTA to speak for every child with one voice; and all of Roanoke's students deserve to know that they are valued and welcomed by Roanoke's schools and neighborhoods. She also expressed concern about the example set by some persons who have spoken in the past and while it is their right to express their opinion, it is also their responsibility to do so in a positive and respectful manner and not engage in personal attacks on the Members of Council, or accuse people of having questionable motives, simply because they are not in agreement with the speaker. She advised that many people have worked long and hard to bring the option of high school stadia to the forefront and they have done so because they believe it is right for Roanoke City; therefore, she urged Council to move forward with a vote to accept the recommendation of City Planning staff.

Ms. Estelle McCadden, 2128 Mercer Avenue, N. W., advised that Council voted for the two high school stadiums before reviewing all of the facts. She stated that some taxpayers will not choose to use the high school stadiums, therefore, she asked what type of facility will be constructed for that segment of Roanoke's population. She further stated that the City failed to maintain Victory Stadium for many years which led to its current state of deterioration and inquired as to who will be responsible for funding the maintenance of two high school stadiums. She advised that if the school system funds the maintenance of the two stadiums, less funds will be available for classroom instruction, leading to more students failing the Standards of Learning.

Mr. Alan C. Scanlan, 1631 Center Hill Drive, S. W., advised that he was told at a recent community meeting that Roanoke's children deserve nothing but the best; however, a school system that spends \$40,000.00 annually to maintain three airplanes might be expected to give such an answer. He used an analogy of the average "Joe Roanoke", who has worked hard for many years and has done his best to take care of his family and to support his community, he deserves the best, but in reality, what can "Joe Roanoke" afford? He rides in an

old high mileage pickup truck with a slipping transmission, he lives in a small house with one bathroom, his furniture has seen its better day; therefore, when average "Joe Roanoke" and the City of Roanoke examine what is needed, they must also look at what they can afford. He inquired as to why other options have not been considered in lieu of looking at only a \$4.1 million facility for each high school stadium. He stated that while he is suspect of various motives, there are good people on both sides of the issue, and there is a solution at hand if City officials would stop and take the time to review other alternatives and to examine the school stadia issue, the process of which is the antithesis of planning, which has been rushed, flawed, riddled with inconsistencies, and conflicting and inadequate information; and no responsible Planning Commission could support such a proposal. He stated that those persons who speak as community leaders and others in support of high school stadia should show the same level of interest in the school system's academic problems by attending School Board meetings.

Ms. Mary A. Scanlan, 1631 Center Hill Drive, S. W., spoke in opposition to the Patrick Henry High School zoning amendment for the following reasons: the stadium is too large for the small tract of land on which it is proposed to be constructed; the stadium will be located directly behind a block of residential houses on Brandon Avenue, the site is surrounded by a densely populated and established residential neighborhood, there is insufficient parking on the site, major traffic congestion currently exists at Grandin Road and Brandon Avenue, a new traffic study specifically for a 3,000 seat stadium facility was not prepared, and there was very little input from adjacent property owners and/or immediate property owners with regard to the zoning. She stated that a commitment to proffered conditions with regard to lights, noise, litter, security, problems associated with visitors and parking in the neighborhoods is needed, and over 15 questions were not specifically answered at Patrick Henry High School community input meetings. She stated that the questions were resubmitted at the William Fleming High School community meeting on January 19, however, no reply has been received to date. Prior to the December 21, 2005 meeting of the City Planning Commission, she stated that she did not know of the bias and conflicts within the City Planning Commission, she did not know that similar problems would surface with the Board of Zoning Appeals, she did not know that Parks and Recreation, as well as other youth and sports groups, would sponsor events at the facility, and she did not know that the school administration appears to have understated attendance in order to qualify for the limited size of the stadium.

Mr. Winfred Noell, 2743 Northview Drive, S. W., advised that since November 7, 2005, he has not talked with a single student who supports the demolition of Victory Stadium, and while some favor a new stadium at their school, they also want Victory Stadium to be preserved. He stated that he could talk about the stadium in Wilmington, North Carolina, which is a large, older venue similar to Victory Stadium that is used by area high schools for football games; or he could talk about conflicts of interest on the City Planning

Commission; or he could talk about City Council Members who think that tax credits for Victory Stadium are a bad idea, but grants and Federal and State money for trolley cars are alright; or he could talk about a government taking land for economic development, or in Roanoke's case ruining people's land; or he could talk about the fact that Roanoke will not have a large enough venue after Victory Stadium is demolished to accommodate any large sporting events in the future; or he could talk about Freedom of Information Act requests that were submitted to the City Manager, only to be told that no such documents exist, yet certain documents were produced for a recent newspaper article. He stated that he seriously respects the laws of the United States of America and advised that he is a citizen of the City of Roanoke, he pays taxes and he is very concerned about the City's present and future.

Ms. Suzanne Osborne, 1702 Blair Road, S. W., advised that she was especially concerned that no formal traffic study was prepared, and if a formal independent traffic study were completed, it would support the level of traffic that will be generated on Brandon Avenue at the intersection of Grandin Road and Brandon Avenue as a direct result of the proposed stadium at Patrick Henry High School. She expressed concern with regard to parking and called attention to a comment made by Mr. Rife at one of the community meetings that when the parking lot reaches capacity, the overflow would park on neighborhood side streets, particularly at the end of Blenheim Road which would allow visitors to access the stadium through the track and through many of the paths that go through the greenway trails to the stadium. She expressed further concern that the process appears to be moving rather quickly, and no one understands why the normal public hearing could not have been held on February 20 following the City Planning Commission's meeting on February 16; therefore, she requested an explanation as to why there is such a rush to make a decision. She added that there appears to be conflicts of interest with members of the City Planning Commission and suggested that those persons recuse themselves from the issues to avoid the appearance of a conflict of interest. She called attention to concerns about vandalism, and the fact that ten potential games, five by each high school, could create an environment where persons who would be emboldened by the cover of darkness could sell illegal substances and engage in fights, vandalism, and property damage in the neighborhood, none of which have been adequately addressed in the proffers. At community meetings, she advised that City staff stated that proffers can be changed by going through the same process, therefore, any of the proffers that have been submitted to date could be changed. She asked that Council reject the proposal for rezoning.

Ms. Margaret Keyser, 2701 Guilford Avenue, S. W., advised that she is a next door neighbor to the Patrick Henry High School campus and during the 35 years that she has lived in her home, she has enjoyed hearing the band practice and the cheerful voices from baseball and soccer games, but an all sports stadium that will attract large numbers of people will present a different set of circumstances. She stated that on numerous occasions, residents of the area

have presented concerns with regard to the problems that the proposed stadium would impose upon their compact neighborhood of narrow streets where residents must depend upon on street parking for vehicles that are too large for small garages, or in some cases where no garage exists, who will be in direct competition with stadium users for parking spaces near their own homes. She added that the City Planning Commission agreed that proposed parking plans, as presented by staff, were not adequate; therefore, she requested that parking plans be modified. She stated that the four meetings with the school administration and the City Planning Commission's public hearing did not allay all of her concerns, and the report of Planning staff was not reassuring or complete; and one paragraph of the staff report stated that neighbors should be encouraged to walk to events and that visitors should be encouraged to car pool, whereupon, she raised questions with regard to enforcement issues. She expressed concern that visitors will park on the school campus as long as there are sufficient parking spaces and then they will park in front of her house.

Mr. Abney S. Boxley, 301 Willow Oak Drive, S. W., advised that both time and money have been spent on studying the stadium issue without solving the problem; and every conceivable point of view has been considered, yet no consensus has been reached that appeases every constituency, or solves every problem. He quoted a previous statement he made regarding Victory Stadium, "Today we are trying to save an old memory, hold outdoor concerts, play one college football game, host a festival, host a football championship maybe, and play high school sports. No reasonable group could agree on a facility that meets all of those needs in a cost effective manner. We cannot have it all." He stated that neither Patrick Henry nor William Fleming High Schools have the athletic facilities that Roanoke's children deserve, nor are they consistent with the school system's goal of creating a world class educational environment; and tonight, Council could take a positive step by amending the Patrick Henry High School site plan, which will enable the schools to complete the job at Patrick Henry. He further stated that should the Council vote in favor of the petition, it will have solved a problem for Roanoke's students that no other Council has been willing to do and create a home for at least ten football games at Patrick Henry High School alone; and Council will have sent a clear message that it cares about the future of Roanoke's children, rather than arguing over the past. While the fog of another political campaign hangs low over the City, he advised that it is clear that the need exists for athletic facility improvements in the City of Roanoke, it is clear that athletic facilities are consistent with building a sense of community at the high schools; and it is clear that the problem can be solved in a fiscally prudent and progressive manner. Therefore, he asked that Council vote in favor of the petition.

Ms. Jeanne M. Duddy, 1816 Greenfield Street, S. W., advised that the neighborhood surrounding Patrick Henry High School is small and the City proposes to construct a very large athletic field. She expressed concern with regard to traffic and asked that Council think twice before constructing a large stadium in an already congested area. She expressed further concern that eminent domain may take some private residences.

Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, advised that Victory Stadium is one of the best stadiums in the country; and when the stadium was under the direction of the Department of Parks and Recreation it was properly maintained. He spoke to the need for a stadium that can be used by all citizens of Roanoke that would be large enough to accommodate college football games and other types of outdoor activities. He advised that Victory Stadium was constructed as a memorial to World War II veterans and should be maintained for that purpose; and the National Guard Armory could be used as a location for a Hall of Fame to honor those persons who played football at Victory Stadium and went on to achieve higher positions. He referred to the agreement between the City of Roanoke and the N & W Railway Company which states that the City will maintain the stadium first, followed by the National Guard Armory.

Mr. John Kepley, 2909 Morrison Street, S. E., advised that Carilion Medical System wants the land on which Victory Stadium is presently located, therefore, City Planning Commission Members Robert B. Manetta, who is a Carilion legal staff member, and Henry S. Scholz, who is an associate or employee of Edwin C. Hall & Associates, that has ties to various Carilion commercial properties including exclusive leasing agent for the Riverside Park, have vested interests in the property due to their individual associations with Carilion. He stated that he resides in the South Roanoke area of the City and like numerous other persons who have addressed the Council, and certain members of the Roanoke City School Board, City Council and the City Planning Commission, the stadium to Patrick Henry High School will not affect his property, but he has a concern for those persons who live in the Raleigh Court area who have worked long and hard for their homes, only to have construction of a large stadium to devalue their property. He advised that it is not the right, moral or ethical thing to do and asked that Council deny the Second Amended Petition to Amend Proffered Condition. He stated that a centrally located and rebuilt stadium, with William Fleming High School on one side and Patrick Henry High School on the other, and with ample parking would be ideal and would provide a venue for enjoyment by all of Roanoke's citizens.

Ms. Virginia Craig, 701 12th Street, S. W., advised that pursuant to Roberts Rules of Order, she would like to yield her time to the next speaker without prejudice to his allotted time; whereupon, the Mayor advised that her request could not be honored under Council protocol, and she would be allotted three minutes to address the Council.

Ms. Craig inquired as to why all emphasis has been placed on Patrick Henry High School when it would appear that William Fleming High School should be addressed first in order to equalize school facilities, and it also appears that William Fleming High School has been mentioned as an afterthought.

Mr. Robert L. Craig, 701 12th Street, S. W., advised that some Roanoke City school students have stated that they need a stadium to improve school spirit; however, he would have been much more impressed if those same students had complained about the \$1.2-\$3 million the School system/School Board wasted during the 2004-2005 school year, with 23 overhires in a failing school system. He asked for an explanation from Mr. Godek as to how school spirit is measured and how a school stadium will improve academic performance in the Roanoke City School System. He stated that he favors athletic facilities at the schools, but after ten years of talking about Victory Stadium, he objects to the sudden rush to move forward with high school stadia. He further stated that the reason could be because three City Council Members may not be sitting on the Council next year which could affect the outcome of the vote; and since the Mayor and Vice-Mayor have publicly stated that they have the best interests of Roanoke at heart, they should have no objection to resigning from their Council seats and campaigning for reelection as a means of validating whether or not this is the right course of action for the City.

Mr. Randy Harrison, 2311 Westover Avenue, S. W., expressed concern with regard to the spending of taxpayers' money on consultant fees, and more specifically the consultant's fee to study Victory Stadium, which was followed by a Council decision to construct stadia at the two high schools instead of renovating Victory Stadium. He advised that Victory Stadium could be refurbished for the same amount of funds that the City will spend to construct two stadiums at two different high schools; and the centralized location of Victory Stadium, which has a better traffic pattern, would be preferable to the Patrick Henry High School site. He added that a 3,000 seat stadium is not sufficient for a high school football game, and if the City of Roanoke is to be a progressive City, it should think larger and bigger.

Ms. Freda Tate, 4556 Van Winkle Road, S. W., advised that Victory Stadium would not be a "white elephant" located in a floodplain if present and past City Councils had provided for the proper maintenance of the facility. She asked why the City did not rush to save Victory Stadium in the same way it seems to be rushing into a decision to construct stadiums at the two high schools. She advised that regardless of the remarks of the Superintendent of Schools, a stadium will not improve test scores of Roanoke's students; and Roanoke's leaders should pay as much attention to ensuring quality education and classroom instruction as they do to constructing high school stadia.

She added that Roanoke's voters placed their trust in Council to represent and to do what is best for every citizen of the City of Roanoke, but citizens believe that their trust has been betrayed. She requested that the City Planning Commission and Council deny the request inasmuch as there is insufficient room on the site to construct a high school stadium.

Mr. Dick Kepley, 550 Kepplewood Road, S. E., advised that any person who works for or receives remuneration from the City should not be a member of a major board such as the City Planning Commission; and even though a member can excuse himself from voting, he cannot excuse himself from his influence over other members of the board. He stated that any member of the City Planning Commission should have abstained from making a decision on the issue when that person had previously expressed his or her beliefs prior to the time that a public hearing was held on the issue. He added that the necessary studies have not been completed in order to make an informed decision; stadia at Patrick Henry and William Fleming High Schools will cost more than \$8.2 million; if the stadium at Patrick Henry is projected to cost \$4.1 million, how can it be said that the stadium at William Fleming will cost the same when the facility is not scheduled to be constructed until 2010; and a 3,000 seat stadium at Patrick Henry High School will not be large enough to accommodate a winning football team, inasmuch as officials of the Virginia High School Football League have advised that a playoff game cannot be held at a stadium that will only accommodate only 3,000 persons. He added that there will be insufficient parking for football games at Patrick Henry and Mr. Rife was quoted in August 2004, as follows: "It is questionable if the school's parking would be adequate for a football crowd. The over crowd would likely find its way into the neighboring residential areas and cause problems." He advised that stadiums at Patrick Henry and William Fleming High Schools will not serve the needs of all citizens of the City of Roanoke and with over 94,000 citizens, Roanoke needs a stadium large enough for all of the people to enjoy. He called attention to the work of a 13 member Stadium Study Committee which met nine months and reached the conclusion that there would be too many problems associated with stadiums on the two high school campuses; Members of Roanoke City Council applauded the work of the Study Committee and now the same Council is disregarding the opinion of its own committee and changing direction. He advised that for the past four years, Victory Stadium has been under the direction of the Roanoke Civic Center without routine maintenance, which has led to its current state of deterioration. He recommended that Council appoint a committee of citizens representing the school system to determine what needs to happen in order to make Victory Stadium acceptable for football during the 2006 school season.

Mr. John Graybill, 2443 Tillett Road, S. W., advised that the neighborhood will be intruded upon with construction of a stadium at Patrick Henry High School. He stated that contrary to the remarks of the Superintendent of Schools, student performance will not improve as a result of constructing a high school stadium. He called attention to municipal stadiums in the Cities of

Salem and Lynchburg, Virginia, and advised that the City of Roanoke should have its own municipal stadium for the enjoyment of all citizens. He stated that if Roanoke's students do not already have pride in their schools and school spirit, it will not be developed as a result of constructing high school stadia, because school pride and school spirit must be addressed on a continuing basis.

Lisa Link, representing the Roanoke Regional Chamber of Commerce, advised that the issue is one of land use, and a stadium at Patrick Henry High School would make good use of existing school property, make effective use of existing parking while adding additional parking, enhance the high school campus, and improve neighborhood amenities. She stated that a high school stadium at Patrick Henry would not increase crime, or significantly increase traffic, or change the character of the neighborhood since a high school is already located in the area; however, at the heart of the issue is the question of whether a stadium is a good fit for the existing school and the neighborhood. She advised that timing of the stadium is ideal with construction currently underway at Patrick Henry High School and the stadium would be a good fit for the community and the high school. On behalf of the Roanoke Regional Chamber of Commerce, she urged the City Planning Commission and City Council to move forward and to approve the zoning for a stadium at Patrick Henry High School.

Mr. Phillip Wright, 1646 Center Hill Drive, S. W., advised that a community must be resolved to hold its elected officials accountable for the statements that they make to the voters in order to be elected; and beyond public accountability, the stadium issue is about public trust, integrity and whether or not voters and taxpayers can trust the recorded words of their elected officials, or, as voters have found out over the past several weeks, do the words and positions of elected officials change with each passing day, each meeting, and each hearing. He stated that the issue is about apparent conflicts of interest and self dealing individuals who work with and for the City of Roanoke who also sit on boards and commissions and are charged with the responsibility of protecting the interest of the public; and moreover, the issue is about abuse of process, arrogance, duplicity, blatant dishonesty, and the point of view that voters and taxpayers work for the City. He stated that a flawed, manipulated scheme designed to impose two surrogate City sports complexes, one in a quiet neighborhood where a sports complex is not suitable and will fracture a community, and a scheme which creates disunion and ill will is not the answer; and high school stadia will not cure the well documented problems of Roanoke's schools and will not be the most efficient use of taxpayers' dollars.

He added that the Stadium Study Committee suggested modest size daytime stadia at the two high schools, and construction of a first class facility to serve all of the needs of the community; the Study Committee's report specifically stated that the best use of taxpayers' money is the renovation of Victory Stadium; therefore, why waste another \$2 million of tax money, in addition to what was spent at the Orange Avenue site, to demolish Victory Stadium. He asked why there is such a rush to pursue a policy based on fanciful projection and false assumptions.

Mr. Stuart Revercomb, 2408 Stanley Avenue, S. E., advised that certain Members of Council are using the School Board as an excuse to tear down Victory Stadium at all costs, regardless of what the City's paid consultants and the City's Traffic Engineer says, and without regard to the wishes of Roanoke's own citizens. He stated that the School Board has no problem with being used in the process in order to have new athletic fields, but what the School Board has failed to realize is that it will jeopardize any chance of ultimately having the kind of high school stadiums that the School Board desires and students deserve. He added that by moving forward without traffic or parking studies as recommended by the City's engineers, the City now faces a well organized group of over 500 citizens from the neighborhood around Patrick Henry High School who have hired what is reputed to be the best land use attorney on the east coast in an effort to lock the City up in a law suit that will waste hundreds of thousands of tax dollars; Roanoke's children will not see a new stadium for many years to come, if ever. He inquired as to how many law suits the City will defend itself against from the very people that the Council was elected to represent. He advised that the stadium issue was one of the best examples of dysfunctional local government that the Commonwealth of Virginia has ever seen, and it has been said that Council will soon vote to tear down Victory Stadium, which would be an attempt to destroy Victory Stadium before the citizens that Council represents have a chance to speak through the local Councilmanic election. He stated that if the Council is so limited in its vision and so caught up in accomplishing its own agenda that it would order the destruction of a City resource before voters can speak, he would ask that all Roanokers join in a process by which their voices will be heard by contacting Council en mass and attending the next City Council meeting on Monday, February 20, 2006 at 7:00 p.m.

Mr. W. Alvin Hudson, 1956 Hope Road, S. W., advised that the Members of City Council and the City Planning Commission have already made up their minds about the stadium issue. He stated that a high school stadium is not the best use of the property and will not be advantageous to preserving the neighborhood around Patrick Henry High School. He expressed concern with regard to the unprofessional conduct of certain City and School staff during neighborhood meetings that were held at Patrick Henry High School and staff did not satisfactorily respond to questions that were raised by concerned citizens.

Ms. Suzi Wright, 1646 Center Hill Drive, S. W., expressed concern with regard to increased traffic at already crowded residential intersections, the closing of streets for football games, the alley at Blenheim Road which would be used as a cut through, noise and lights in a residential neighborhood, and a reduction in property values. When reaching a decision, she asked that Council consider those residents who have lived in the surrounding residential neighborhoods for many years and that Council not permit the construction of a stadium on a small tract of land.

Mr. John Tisdell, 1724 Wilbur Road, S. W., spoke in support of high school stadia. He advised that many persons have expressed concern regarding parking issues and traffic congestion, but it is much more important to think about education and the quality of Roanoke's schools. He stated that a school must provide for the needs of the entire school population, including athletics and extra curricular activities; nothing affects quality of life, property values, and future job opportunities more than a locality's school system; therefore, it is important to support Roanoke's schools, regardless of whether school age children reside in a household. He expressed appreciation for the efforts of Council in support of the City of Roanoke, and advised that it is regrettable that Council Members have had to endure recent personal attacks by certain citizens.

Ms. Virginia Mercer, 2201 Hunters Road, S. W., advised that she has become increasingly disturbed to learn that existing zoning regulations can be negated with very minimal regard for residents of the area; and expressed concern that her neighborhood will be adversely affected by the proposed stadium to be constructed on a small tract of land at Patrick Henry High School. She stated that she moved to her present neighborhood because she believed that it would be safe, it would be a neighborhood where she could enjoy walking in the evenings, however, with construction of the stadium, many of the neighborhood amenities could be impacted in a negative way. As a life long educator, she stated that she is appalled at the declining graduation rate in the City of Roanoke, however, it is hoped that the City Planning Commission and others will realize that an on campus stadium is not the solution to the problem; and professional journals are filled with ideas that could be implemented to help Roanoke's school system. She stated that a single, shared, modern stadium would be far more beneficial to Roanoke's students, would benefit the entire community, would serve as a model to show children how cooperative ventures can bring a City together, and would serve as a resource to other cities that are experiencing similar problems throughout the country. As a taxpayer, she asked that her tax dollars be used in a manner that will benefit all of the citizens of Roanoke and that the City Planning Commission and City Council deny the request for amendment of the proffer.

Mr. Eric Mercer, 2201 Hunters Road, S. W., advised that before rushing into construction of high school stadia and forcing an unmandated project on the community, the Victory Stadium issue should be resolved and the necessary resources should be identified to address the educational needs of Roanoke's schools. He stated that the questions are: Does Roanoke need a stadium? Does Roanoke want a stadium? Can Roanoke afford a stadium? Can Roanoke afford not to have a stadium? Should Victory Stadium be rehabilitated, demolished or replaced? He advised that some persons have tried to make the argument that by questioning the wisdom of the City's current stadium plan, opponents are not sympathetic to the needs of Roanoke's students, when, in fact, the opposite is true. He stated that most people believe that athletics are an integral part of a high school, but athletics should be integrated into the complete educational experience and it makes no sense to build a trophy stadium at Patrick Henry High School when the schools in Roanoke are failing students; after depriving the citizens of Roanoke of a municipal stadium that will have the ability to generate both revenue and civic spirit, William Fleming High School will be forced to play football at the Patrick Henry stadium for several years, and that situation, combined with the possibility that the William Fleming stadium may never be built, will have an adverse affect on morale and will be divisive to the City as a whole. He stated that the City of Roanoke is in a crisis mode, as reflected in part by an abysmal high school graduation rate; meanwhile, solutions addressing the City's academic crisis have not been forthcoming from the City Council, which is ultimately responsible for the performance of the School Board. Before planning for new high school stadia, he asked that the City resolve the Victory Stadium issue and, more importantly, address the City's educational crisis.

Mr. Mark McConnel, 532 Linden Street, S. W., advised that for the past four and a half years, he has observed City Council to see how much of an impact citizens actually make, and he was saddened to say that citizens do not make a great impact. He added that it is hoped that a normal functioning governmental process involving evaluation, citizen input, decision making, and implementation can be accomplished in Roanoke, instead of a form of government that is dictated by: decide, implement and evaluate. For example, he inquired as to why Council would spend hundreds of thousands of tax dollars to study an issue, only to discard the results and embark on a course of action that needs to be studied. He stated that it would seem that the City Planning Commission would listen to evidence and to the advice of experts who have recommended completion of a traffic study. He added that the two stadium decision is inexplicably tied to the Victory Stadium issue; and it was tied in that way on November 7, 2005, when a motion was adopted by Council to discuss Victory Stadium and to move forward on the two stadium issue. He advised that he is an environmentalist and the City of Roanoke encourages environmentalism; the City's Vision 2020 Comprehensive Plan is tied to the environment, and the City sponsors sustainable housing design competitions and encourages recycling; however, on the other hand, the City is willing to take millions of dollars worth of concrete and steel to be discarded in a landfill

which is hypocritical, unconscionable, anti-environmental, and sends a message that Roanoke does not care about the environment. He referred to the Dave Matthews concert that was held several years ago at Victory Stadium which yielded over \$100,000.00 to the City; and if Victory Stadium could generate those kinds of dollars on several occasions, the debt service could be funded on a completely renovated stadium. He advised that, in general, most of the citizens of Roanoke would not object to a solution that came about as a result of a carefully thought out and appropriate process.

Mr. Tom Skelly, 2402 Avenel Avenue, S. W., referred to the graphic renderings included in Mr. Rife's presentation in which a lighted stadium looks like a bird's eye view or a view from an airplane; however, he pointed out that the view that residents of the area will be subjected to will not be the aerial view; and a person standing at the corner of Brandon Avenue and Blenheim Road will see lights that are about 250 feet above a horizontal line of sight and not 150 feet above the floor of the stadium as reported by Mr. Rife.

Mr. Bart Wilner, 2709 Crystal Spring Avenue, S. W., advised that no more studies, public hearings, speeches or law suits are needed, but what is needed is leadership and action. He asked that Council vote to construct the two high school stadia and move on with the business of the City.

Ms. Carol Via, 2139 Sherwood Avenue, S. W., advised that the Victory Stadium issue has been on going for the past eight years; and following the report of the Stadium Study Committee, it appeared that Victory Stadium would be renovated until recently when it became apparent that a high school stadium might be constructed in her backyard. She stated that she does not have children in the public school system and she is not interested in football stadiums or in football, but she is interested in a good quality of life and in good schools that will attract people to the neighborhood. She called attention to concerns with regard to traffic congestion, noise, and a decrease in property values if the stadium is constructed on the Patrick Henry High School campus; no formal traffic studies have been completed, the site is too small for a stadium, and the entire character of a historic district will be changed. She added that a stadium does not equate to good grades or to school pride; she would prefer that her tax dollars be spent on a stadium that all of the citizens of Roanoke can enjoy; therefore, she endorsed a comprehensive, shared, and modern stadium. She requested that Council and the City Planning Commission vote against the petition.

Ms. Patrice Rantz, 2029 Laburnum Avenue, S. W., called attention to existing problems associated with daily parking in her neighborhood by students attending Patrick Henry High School. She stated that the problem will be compounded by those persons who visit the school stadium for athletic events.

Mr. Robert Turcotte, 6744 Christopher Drive, S. W., advised that the practical decision is to build stadia at the two high schools. He stated that having spent over a decade in planning activities at Patrick Henry High School, two issues continued to surface, i.e.: a practical decision to build a practical school and the subject of athletics and arts that tend to be left out after academics have been addressed in the operating budget. He introduced the word "talkability" which cannot be found in the dictionary, however, his definition of "talkability" is the ease with which a subject can be talked about and the likelihood that a subject will be talked about; "talkability" is more powerful than noteworthy and more attention grabbing than interesting, therefore, the stadium issue has the highest "talkability" of any subject in recent memory in Roanoke and the topic has grown to epic proportions; and talkable subjects are also emotional subjects, therefore, experts in the fields of medicine, law, finance, etc., urge that decisions not be made by individuals who are acting in an emotional frame of mind. He asked that the City Planning Commission and Council reach a practical decision, one that makes athletics as important as academics and clears the way to build stadia at Roanoke's two high schools.

Mr. John Phelps, 1915 Canterbury Road, S. W., spoke in support of on site high school stadia. He advised that the City's high school sports teams do not have a home field on which to play soccer, lacrosse and football; and football, which is the major revenue sport for any school program, does not have a home field for the fall 2006 season. He requested that the issue not become a political decision, but a decision in favor of Roanoke's children.

There being no further speakers, and following a brief recess, the Mayor turned the meeting over to the City Planning Commission.

Henry Scholz, Vice-Chair, City Planning Commission, called for comments and/or questions by City Planning Commission members.

Commissioner Williams called attention to concerns expressed by several citizens of the area that there could be a tendency for some students who have been suspended from school to attend an activity at the high school sports stadium, act out in a disruptive manner, and problems could have the potential to spill over into the adjoining neighborhoods. He inquired as to how the School administration would propose to address those kinds of issues.

Mr. Godek advised that a student who has been suspended for whatever reason from a City school is also suspended from and not allowed to attend after school activities, and administrators of the affected school would have the responsibility to ensure that the student was not allowed access to the activity.

Commissioner Williams also called attention to certain comments made by persons who reside in the area that there could be a decline in property values as a result of the proposed high school stadium. He advised that he talked with a number of real estate brokers and staff of the City's Department of Real Estate Valuation who indicated that there are very little grounds for concern on the question of real estate value; however, he takes the concerns of property owners regarding the affect of the proposed stadium on property values very seriously. He added that the persons he spoke with cautioned that whether or not there is an adverse affect on property values will depend not on the stadium per se as a venue, but on how the stadium is maintained and how events at the stadium are managed. He stated that this is a prime opportunity for the City to demonstrate that Roanoke is a city of neighborhoods; and if the stadium at Patrick Henry High School is mismanaged, any remaining trust that exists between the City and its neighborhoods will be forfeited. Therefore, he suggested consideration of the following proffers:

Preparation of a final, detailed design of the façade, concession buildings, press stand and restrooms. As a part of securing more broad base support from the community, final design should be completed through a broad, community oriented, visually based design charette, similar to the process that was used for the City Market plan.

Preparation of a traffic management plan to address what would happen when there are more vehicles than parking spaces will accommodate; and the types of mitigation measures that could be undertaken with respect to traffic signal timing, or traffic direction by police officers.

Mr. Rife advised that a traffic management plan could be provided, but expressed concern that as a result of community meetings, specific controls were proffered at Blenheim Road and Lofton Road in response to neighborhood concerns; and what should be done if a traffic management plan revealed a better flow of traffic if Lofton Road is left open. He stated that potentially, a subsequent traffic management study might force the City to violate a proffer, and a traffic management plan has been proffered that is effective, clear, direct, and can be policed.

Commissioner Williams clarified his intent with regard to a traffic management plan and advised that any plan should not undo any of the existing proffers, however, the risk of not having a traffic management plan is the unknowns as to where visitors would park if on-site parking spaces are full. He stated that it is not unreasonable to have a specific idea of what to do in

terms of directing traffic to an identified off-site location, or locations, and how visitors would be informed that they should go elsewhere to park if the parking lot is full. He added that there may be other issues to be considered and a traffic management plan would leave in place any specifics that have been proffered with respect to traffic not going through any roads that are proposed to be closed.

Mr. Godek advised that the school division intends to develop a traffic management plan for Patrick Henry High School, if given approval to construct the stadium; and he was confident that school personnel, working with the Chief of Police and the City's Traffic Engineer, could prepare a comprehensive traffic management plan.

Mr. Godek expressed concern that depending upon the cost associated with a comprehensive traffic management plan, he may not have the authority this evening to make a commitment which would require approval by the School Board. He stated that his second concern deals with the design plan since development of an athletic facility must be carefully coordinated with construction of Phase II improvements at Patrick Henry High School which are currently ongoing.

Since the City of Roanoke is the petitioner, Commissioner Manetta inquired if the City would be willing to have a traffic management study prepared by a professional firm.

The City Manager advised that the traffic management plan that was initiated at the Roanoke Civic Center was prepared, in large part, by City staff with some outside consultation; proffers presently before the City Planning Commission were jointly agreed to by the City of Roanoke and the School Board; she could not unilaterally respond on behalf of the School Board, but the resources of the City of Roanoke in terms of the City's traffic management skills could be made available, and resources of the Police Department would also be an integral part of the traffic management plan.

During a discussion of the additional proffers suggested by Commissioner Williams, Mr. Townsend advised that proffers should be measurable and definable; and definable points in a construction project occur either when a building permit is issued, or when a Certificate of Occupancy is approved.

There was discussion between Mr. Williams and Mr. Townsend with regard to a Certificate of Occupancy in which it was noted that the stadium would require a separate Certificate of Occupancy, and completion and approval could be tied to the Certificate of Occupancy.

Mr. Townsend pointed out that the traffic management plan previously alluded to by Commissioner Williams with regard to the Civic Center was based on known events in a situation where multiple events had already been planned; as it relates to high school stadia, tickets are not sold in advance, and a number of factors are different in terms of managing traffic in an anticipatory way at a high school stadium compared to a civic center. He stated that if the Planning Commission wishes to make proffers, or to ask the Council to include a proffer in the petition, he would request that the proffer be as specific as possible to assist with enforcement issues.

Commissioner Williams resubmitted the proffer as follows: A Certificate of Occupancy for the stadium will be contingent upon completion and approval by the City's Traffic Engineer of a traffic management plan to address event traffic and parking.

Mr. Godek advised that Roanoke City Schools would be agreeable to the abovereferenced proffer.

Mr. Townsend advised that the abovereferenced proffer would not be inconsistent with Proffers 10, 11 and 12 in the Petition.

The Vice-Chair requested that Commissioner Williams summarize the two additional proffers; whereupon, he submitted the following: A Certificate of Occupancy for the stadium will not be issued until completion and approval by the City's Traffic Engineer of a traffic management plan to address event traffic and parking, such traffic management plan will be prepared subject to all existing proffers.

Mr. Godek and the City Manager concurred in the abovereferenced proffer.

Commissioner Williams offered the following additional proffer: Final design of the stadium, including, but not limited to the façade, concessions, press box, and restrooms, will be completed through a broad, community oriented, visually based, design charrette.

Mr. Townsend clarified that the abovereferenced proffer does not ensure a decision on final design, but ensures a process.

Commissioner Williams stated that his purpose in submitting the abovereferenced proffer is to ensure that there is an open, public, and visually oriented process that allows interested persons to view the final product.

Mr. Rife advised that Roanoke City Schools has conducted approximately 15 public input meetings on the design for Patrick Henry High School to date, therefore, the schools would have no objection to holding two or three more public meetings devoted specifically to the stadium. He stated that he was

uncomfortable with the word “charette”, because the definition could be different in its interpretation, therefore, he would prefer the term “public input meeting”, or something along those lines.

Commissioner Williams agreed to refer to the meetings as “public input meetings” and clarified that his intent is that the design will be visually based to allow interested persons an opportunity to review proposed options in a broadly participatory process.

Mr. Rife stated that two - three public input meetings will be held during which visual options on exterior stadium design will be presented.

Mr. Godek advised that Roanoke City Public Schools will conduct a minimum of two and potentially three - four public meetings to present the first cut of the stadium design, especially the façade, and how the stadium will fit into existing school design at Patrick Henry High School and the local community. He stated that public comment will be invited at the first meeting prior to presenting proposed designs.

Mr. Townsend reiterated that any design would be subject to and consistent with other proffers in the petition.

The City Manager advised that the proffer would be acceptable to the City of Roanoke.

At the request of the Vice-Chair, Mr. Townsend restated the following proffer: The Roanoke City School Administration will conduct a minimum of three public meetings with regard to design of the façade of the stadium, such meetings will be held prior to issuance of a building permit for the stadium, subject to all other proffers contained in the petition.

The Vice-Chair requested further clarification on lighting issues; whereupon, Mr. Rife advised that the lighting system will be designed to provide an average contained level of 50 foot candles on the ground, located uniformly across the playing surface of the stadium; and 50 foot candles is a standard design goal for high school stadiums as established by the Illuminating Engineering Society. He explained that any football stadium, or athletic stadium that is set up for television cameras, will provide about 150 foot candles; therefore, the slide that was presented earlier in the meeting was somewhat overly lit compared to what will actually occur; two supporting poles will be placed in the center behind each of the concession areas, the top of which will be 60 feet above the playing surface, one pole nets out at 43 feet high between where it comes out of the ground and the top of the pole; the pole behind the home stands is about 55 feet high between where it hits the ground and the top of the pole, or 60 feet above the playing surface; four other light poles will be located 55 feet from the top of the light pole to the playing surface at approximately 40 feet from grade level to the top of the pole; lights

will have shields on top to minimize or basically eliminate any upward light for a night sky's effect, lights will also be shielded to reduce glare; engineering studies have been prepared on the lighting that show average foot candle levels across the site and the rear property line of the houses that front on Brandon Avenue; the lighting level from stadium lighting will not exceed one-half a foot candle; and bright moonlight produces much more light than a one foot candle. He stated that these are all proffered conditions which can be substantiated with engineering data and will be submitted to the Board of Zoning Appeals for review and approval upon favorable action by the Council; and approval of the proposed zoning map amendment does not automatically give permission to install the lights, but simply authorizes the stadium.

Question was raised with regard to the availability of data on the percentage of suburban Virginia high schools that have lighted football stadiums on site; whereupon, Mr. Godek advised that approximately 80 to 85 percent of high schools have lighted stadiums on campus.

Commissioner Manetta inquired if the use of eminent domain would figure into either the rezoning and/or construction of the stadium.

The City Attorney advised that all of the property shown in the rezoning petition is owned by the City of Roanoke and he was not aware of any plans that would require the acquisition of any other property by eminent domain or otherwise.

Commissioner Manetta inquired as to why Patrick Henry High School was selected as the first of the two high schools to get an on site stadium.

Mr. Rife responded that Patrick Henry High School is being constructed in phases because there is not enough vacant land to accommodate the entire school; however, there is adequate acreage at William Fleming High School to build the entire school in one phase, move into the building and demolish the old school. In summary, he stated that the stadium at William Fleming High School cannot be constructed immediately because a school building currently exists onsite that needs to continue to operate until a replacement school can be constructed.

Commissioner Manetta advised that a number of persons have stated that the process was "hurried"; however, it should be noted that the issue of the stadium and what to do about a stadium for the City of Roanoke has been ongoing for more than ten years. He stated that when he attended Cave Spring High School, most of the territory around the school was pasture land; a stadium was constructed which has a seating capacity for 4,000 persons; the number of housing subdivisions in the Cave Spring area has increased and more expensive houses are constructed every year, therefore, it would not appear that the Cave Spring High School stadium has caused a devaluation of property.

Commissioner Prince advised that she previously purchased a house that was located next door to a stadium that served both a high school and a middle school; the high school had an enrollment of about 5,000 students and there was significant noise on football nights which was not offensive, traffic lasted for about 60 minutes, and she would not hesitate to purchase another house next door to a high school athletic field. She spoke in support of constructing stadia at the two high schools; and while she would not make the argument that a stadium will raise student grade point average, a football stadium would provide a good reason to keep kids in school. She advised that high school stadia are a separate issue from Victory Stadium and the two issues should not be confused.

Commissioner Williams advised that every neighborhood must be vigilant to ensure that proffered conditions to zoning property are enforced according to the spirit of the law. He stated that he suggested at the last meeting of the City Planning Commission that the best way to ensure that a stadium on the Patrick Henry High School campus is an asset to the neighborhood is for all concerned citizens to become active participants in the Greater Raleigh Court Civic League and regularly attend meetings because the Civic League is the voice of the neighborhood. He added that he was not implying that citizens are responsible for enforcing proffers; however, people who care about their neighborhoods, regardless of where they live, are the only people who can do the work of the neighborhood organization to ensure that neighborhoods become a better place to live.

Commissioner Prince concurred in the remarks of Mr. Williams and advised that she is a resident of Old Southwest; 25 years ago, Old Southwest was falling into a state of deterioration, and through the activism of Old Southwest, Inc., and Old Southwest neighbors, property values have tripled in the last ten years.

There being no further discussion by the City Planning Commission, Commissioner Manetta offered a motion to place the matter on the table for consideration of the following additional proffers. The motion was seconded by Commissioner Prince.

- A Certificate of Occupancy for the stadium will not be issued until completion and approval by the City's Traffic Engineer of a traffic management plan to address event traffic and parking, such traffic management plan will be prepared subject to all existing proffers.
- The Roanoke School Administration will conduct a minimum of three public meetings with regard to design of the façade of the stadium, such meetings will be held prior to issuance of a building permit for the stadium, subject to all other proffers

contained in the petition.

The motion was adopted by the following vote:

AYES: Commissioners Butler, Chrisman, Manetta, Prince, Williams, and
Vice-Chair Scholz-----6.

NAYS: None -----0.

The Second Amended Petition to Amend Proffered Condition, as amended
with the above referenced proffers, was adopted by the following vote:

AYES: Commissioners Butler, Chrisman, Manetta, Prince, Williams, and
Vice-Chair Scholz -----6.

NAYS: None -----0.

The Vice-Chair advised that the motion passed and was submitted to the
Council in the form of a recommendation.

There being no further business, the Vice-Chair declared the meeting of
the City Planning Commission adjourned.

The Mayor declared a brief recess.

Following the recess, the Council meeting reconvened in the City Council
Chamber, with Mayor Harris presiding and all members of the Council in
attendance.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37303-020606) AN ORDINANCE to amend §36.2-100, Code of the City
of Roanoke (1979), as amended, and the Official Zoning Map, City of Roanoke,
Virginia, dated December 5, 2005, as amended, by amending the condition
presently binding upon the development of Patrick Henry High School
previously conditionally zoned INPUD, Institutional Planned Unit Development
District, by deleting the proffered condition presently binding on the subject
property and applying new proffered conditions to the subject property; and
dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book 70, page 148.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37303-
020606. The motion was seconded by Council Member Cutler.

The City Attorney advised that the ordinance presently before the Council
includes references to a "Second Amended Petition"; and in order to include the
two additional proffers approved by the City Planning Commission, a Third

Amended Petition would be required to be filed by the City. He stated that whenever the language "Second Amended Petition" appears in the ordinance, it should be amended to refer to a "Third Amended Petition"; and the ordinance should be further amended to include another "WHEREAS" paragraph to explain the Second and Third Amended Petitions.

Vice-Mayor Fitzpatrick moved that Ordinance No. 37303-020606 be amended to include the following additional proffers as recommended by the City Planning Commission and an additional "WHEREAS" paragraph to explain the Second and Third Amended Petitions.

- A Certificate of Occupancy for the stadium will not be issued until completion and approval by the City's Traffic Engineer of a traffic management plan to address event traffic and parking, such traffic management plan will be prepared subject to all existing proffers.
- The Roanoke City School Administration will conduct a minimum of three public meetings with regard to design of the façade of the stadium, such meetings will be held prior to issuance of a building permit for the stadium, subject to all proffers contained in the petition.

The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, McDaniel and Mayor Harris -----5.

NAYS: Council Members Lea and Wishneff -----2.

The Mayor called for questions and/or comments by Council Members with regard to Ordinance No. 37303-020606, as amended.

Council Member Wishneff advised that statements have been made that at least two Members of the City Planning Commission have conflicts of interest, and inquired if the City Attorney was asked to review the matter.

The City Attorney advised that in December 2005, it was determined that one member of the City Planning Commission, Chair Richard A. Rife, had a conflict of interest which is the reason he abstained from participating in the public hearing. He stated that it was further determined, under the Virginia Public Conflict of Interest Act, that no other member of the City Planning Commission had a conflict of interest.

Council Member Wishneff called attention to a communication from Vice-Chair Henry Scholz's employer stating that he would have difficulty renting and leasing the property in the area of the Riverside Biomedical Park if development occurs along Reserve Avenue, therefore, the sites for high school stadia should be pursued in lieu of Reserve Avenue. Mr. Wishneff inquired if the above statement could be construed as a "financial interest".

The City Attorney reaffirmed that it was determined that there was no conflict of interest under the Virginia Public Conflict of Interest Act.

Although the City of Roanoke owns the property, Council Member Wishneff inquired if only the Roanoke City School Board can determine how the property will be used.

The City Attorney advised that School Trustees are responsible for the operation and management of Roanoke's school system; under a conditional rezoning, certain proffers are made, and pursuant to State law, only the property owner can proffer conditions, therefore, the City of Roanoke submitted the proffers.

Council Member Wishneff inquired if the Roanoke City School Board voted in a properly called meeting to request construction of a stadium on the Patrick Henry High School site.

The City Attorney responded that the School Board reviewed and concurred in the proffers that were originally submitted.

Council Member Wishneff questioned the legality of the notice with regard to the December 19, 2005 School Board meeting; whereupon, the City Attorney advised that the School Board held a properly called meeting on December 19.

Council Member Wishneff stated that whenever there is a change in meeting location, the Virginia Freedom of Information Act requires three working days notice. He advised that the location for the December 19 School Board meeting was changed from a local restaurant to the School Administration Building without three days working notice.

The City Attorney responded that the meeting was called as a special meeting and the Virginia Freedom of Information Act requires that a governing body give reasonable notice under the circumstances; whereupon, Council Member Wishneff questioned if Friday, Saturday, Sunday, and Monday would constitute three working days notice.

Council Member Wishneff advised that he was concerned that the Council could be placing itself in a losing position; and it is imperative for the School Board, as Trustee of the property, to make a decision and in a legally called meeting. Therefore, he offered a substitute motion that Council defer action on the ordinance and refer the matter back to the Roanoke City School Board for a vote in a legally called meeting with regard to constructing a stadium on the Patrick Henry High School campus, to be followed by reconsideration of the matter by the City Planning Commission and City Council. The motion was seconded by Council Member Lea and lost by the following vote:

AYES: Council Members Lea and Wishneff -----2.

NAYS: Council Members Cutler, Dowe, Fitzpatrick, McDaniel, and Mayor Harris-----5.

Council Member Wishneff inquired about proffers with regard to the days that football games would be played; whereupon, Mr. Townsend referred to Proffer No. 6 which provides that all football games between Patrick Henry High School and William Fleming High School and any other City of Roanoke high school will be played during daylight hours only, and Proffer No. 4 provides that no less than 40 per cent and no more than 60 per cent of all home varsity football games in a single season will be played during the daytime hours on Saturday, as the exact number of home football games varies from year to year.

Council Member Wishneff inquired if attendance and school pride would be greater at football games played on a Friday night off site, or on a Saturday morning on site.

Mr. Godek responded that his personal opinion would be that attendance may be lower on a Saturday morning than on a Friday night; and he could not offer an opinion with regard to school spirit.

Council Member Wishneff advised that a vast majority of those persons who spoke in support of constructing high school stadia referred to increased school spirit, better school attendance, and more opportunities for fund raising through the Boosters Clubs. Mr. Godek replied that he did not recall stating at any of the community engagement meetings that school spirit would dramatically increase if a sports facility was constructed at the high school; however, the term in which it was mentioned was in looking at the top 100 school systems, whether they be urban or suburban, certain common characteristics exist, one of which is having all of the facilities that students need in order to have a well rounded educational experience located on the school campus, and the provision of an athletic facility is one of the characteristics of a great school system.

Council Member Wishneff referred to page 5 of the City Planning Commission staff report which states that the petition is consistent with the following goals and strategies of the Greater Raleigh Court Neighborhood Plan: (1) minimize impact of increasing traffic, and (2) decreased traffic improves safety in the residential areas, etc. He inquired if the statement implies that introduction of the football stadium will minimize existing traffic and increase residential safety.

Mr. Townsend responded that the proposed petition, with proffers, address where traffic can enter and exit the site, and the additional proffers proposed by the City Planning Commission this evening are consistent with statements that are included in the 1999 Raleigh Court Neighborhood Plan.

Council Member Wishneff asked Mr. Townsend to explain Governor Kaine's proposal to the General Assembly with regard to rezoning; whereupon, Mr. Townsend advised that the Governor's transportation initiative advocates the fact that all rezonings in the Commonwealth of Virginia would be required to have a traffic impact study as part of the rezoning process, however, the Governor's initiative is yet to be heard by the General Assembly. He stated that numerous ideas are forwarded to the General Assembly each year with regard to land use regulations that are not approved; in terms of communities, the Proposal is a good idea, however, in terms of those communities that already have infrastructure in place, the Commonwealth of Virginia does not allow cities to accept cash proffers for new development; State law authorizes counties to require numerous things in terms of controlling development that are not available to cities; therefore, Governor Kaine's initiative, once it proceeds through the legislative process, may become a State requirement that may apply only to certain localities that have growth concerns, as opposed to core cities where infrastructure is in place.

Council Member Wishneff inquired if a detailed landscaping plan will be submitted; whereupon, Mr. Townsend advised that a detailed landscaping plan will be submitted with the site plan, no noise study was conducted, and a lighting study is subject to a special exception by the Board of Zoning Appeals.

Council Member Wishneff advised that the City of Roanoke required the submittal of specific landscaping plans for the Ivy Market rezoning, and inquired if the City holds the private sector to a different standard than the City applies to itself.

Mr. Townsend responded that the Ivy Market rezoning was submitted under the old 1987 Zoning Ordinance and no landscaping provisions per se were required; the new zoning ordinance adopted by Council on Monday, December 5, 2005, includes a comprehensive landscaping requirement for the site, thus, the City's standards have been raised with adoption of the new zoning ordinance which will apply to the stadium development, as opposed to properties that were considered under the old 1987 zoning ordinance.

Council Member Lea inquired if proffers were discussed with school coaches and athletic directors; whereupon, Mr. Godek advised that proffers were discussed with the Athletic Director at Patrick Henry High School who spoke on behalf of the coaches, and with the Director of Health and Physical Education for Roanoke City Public Schools.

Council Member Lea inquired about the rationale that led to the decision that Patrick Henry/William Fleming High School games will be played during the day; whereupon, Mr. Godek advised that the decision was made based on strong concerns expressed by numerous persons from the community around Patrick Henry High School at community engagement meetings; and also taking into consideration a recommendation of the Virginia High School League that schools begin to schedule more day games.

Council Member Lea expressed concern with regard to the inference associated with scheduling only day football games between Patrick Henry and William Fleming High Schools.

Upon question by Council Member Dowe regarding the removal of earth to form an embankment similar to a berm around the stadium, Mr. Rife advised that some students may prefer to sit on the embankment while watching football games.

Mr. Rife advised that one of the amenities to be admired about the Salem Avalanche Baseball Field is that the stadium is child friendly, which allows children to sit up high in the stands, or run around the field, while offering the opportunity for parental supervision, and he could foresee the Patrick Henry High School stadium operating in a similar fashion and being equally child/family friendly.

Vice-Mayor Fitzpatrick called for the question. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, McDaniel, and Mayor Harris-----5.

NAYS: Council Members Lea and Wishneff-----2.

Ordinance No. 37303-020606, as amended, was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, McDaniel, and Mayor Harris-----5.

NAYS: Council Members Lea and Wishneff-----2.

When responding to the roll call, Council Member Lea stated that a renovated Victory Stadium is the best choice for the City of Roanoke, and Council Member Wishneff stated that the majority of Council does not want to hear what the citizens of Roanoke have to say.

COUNCIL: With respect to the Closed Session just concluded, Vice-Mayor Fitzpatrick moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff abstained from voting.)

At 10:58 p.m., the Mayor declared the meeting in recess until Tuesday, February 14, 2006 at 12:00 p.m., at the Roanoke County Administration Building, 5204 Bernard Avenue, S. W., 4th Floor Training Room, for a meeting of the Roanoke City Council, the Roanoke County Board of Supervisors and the Roanoke Valley Resource Authority.

(The February 14, 2006 meeting of Council, the Roanoke County Board of Supervisors and the Board of Directors of the Roanoke Valley Resource Authority was later cancelled.)

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

C. Nelson Harris
Mayor
